

Fired DA investigator mulls suit

He cites Whistleblower Act; prosecutor's office calls termination legal

By **ROBERT THARP**
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A longtime investigator for the Dallas County district attorney's office is contemplating taking his former boss to court after he was fired last week amid allegations of dishonesty and spreading "harmful lies."

A termination letter given to Willie Hughes shortly before he was fired late Friday charges that he was "instrumental" in spreading false accusations to the news media, something that Mr. Hughes denied Monday.

The termination letter does not refer to specific incidents, but both sides agree that it refers in part to a February news conference held by Mr. Hughes' close friend, Tarrant County prosecutor Mike Parrish.

At that news conference in the living room of Mr. Parrish's Haltom City home and attended by Mr. Hughes, Mr. Parrish charged that top officials in the district attor-

ney's office had tried to force his Mr. Hughes to change his account of misconduct allegations he had made in an FBI affidavit nearly two years earlier.

District attorney's office spokeswoman Rachel Horton characterized the meeting with Mr. Hughes as an attempt to make sure he felt comfortable going to his supervisors with any concerns he might have about other prosecutors, which she said Mr. Hughes had never done previously.

Intimidation denied

"He was never pressured or intimidated," she said. "We were trying to set things right with him and investigate the concerns he had. We felt like we got stabbed in the back."

District Attorney Bill Hill was out of town Monday and could not be reached for comment.

At the news conference, Mr. Parrish said Mr. Hughes had described the meeting with Mr. Hill as a three-hour interrogation that potentially amounted to witness-tampering. A grand jury investigated that allegation and found no crime had occurred.

"The press conference was my

idea, and I was the only one who spoke," Mr. Parrish said. "That was my response to their three-hour illegal meeting with him."

Ms. Horton said employment law prevents the office from elaborating on the termination unless Mr. Hughes gives his consent. Mr. Hughes declined to do so Monday, saying that would be a decision his attorney would make. He said he is considering fighting the termination under the state Whistleblower Act.

Ms. Horton said that the office was mindful of potential litigation in this case and was careful to make sure the termination was on solid legal ground.

"We have to be prudent because we're working under the assumption that we're going to be sued," she said. "There were plenty of reasons for us to have fired him. In that letter we were just naming a couple."

Employee protection

The state Whistleblower Act is designed to protect governmental employees from retaliation for reporting corrupt, illegal or fraudulent activity. Among other things, it

requires that employees bring their concerns to an appropriate investigating agency.

Mr. Hughes, who turned 60 last week and is now able to draw his full retirement, said in a June 2002 FBI affidavit that no one acted initially when he expressed concern about a drug prosecutor who had continued to use a Sheriff's Department deputy as a witness even after he lied under oath in a September 1999 court hearing. District attorney officials have disputed that claim.

The prosecutor was asked to resign or told she would be fired during an August 2002 internal investigation in which she was given a polygraph exam about her knowledge of the perjured testimony.

Dallas labor attorney Rogge Dunn said that the law does not protect employees who make accusations to the news media, but that ultimately it's up to juries to decide why someone was fired in such complicated cases.

"Those are the issues that would be front and center in a trial, if there is one," he said.