

**LOCAL**

**WHEELER**

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after Wheeler secretly taped a conversation in which Haller told Wheeler he was giving him a check for \$172 and that he should make his car payment with it.

Haller said the taped conversation "sounded worse than it really was."

"All the checks were made out for \$172 from Baylor University to every one of the players to cover their meal expenses while the dorm cafeteria was closed during the Christmas holidays," Haller said. "I said, 'Here is your check. You better make those three \$50 car payments that you're behind with it.' That was all there was to it. There was nothing in those NCAA violations about cars at all — nothing. The NCAA checked all of that out."

After the investigation, which included a review of the tape supplied by Wheeler, the NCAA placed Baylor on probation for two years for recruiting violations and reduced the Bears' number of basketball scholarships.

Nine players were cited for violations. Wheeler and six other players were suspended, and Wheeler left school. It was one of the harshest player penalties the NCAA has imposed on a school.

Within two months of the controversy, Haller was offered a job at MBank, where he is senior vice president and director of marketing. He is in his second year as a commentator for Mavericks' games.

Wheeler claims in his suit that he had to quit school because of adverse publicity and threats on his life when he tried to tell "authori-

**Austin judge to rule on libel suit filed by former DA**

By TOMMY WITHERSPOON  
Tribune-Herald staff writer

A visiting judge will rule next week on a second request from a Dallas television station to dismiss a multimillion-dollar libel suit filed by former McLennan County District Attorney Vic Feazell.

Judge James Meyers of Austin heard arguments during an informal pretrial hearing in Waco Thursday from attorneys for WFAA-TV, its parent company, A.H. Belo Corp., and former Channel 8 reporter Charles Duncan about why he should throw out the suit.

Feazell, who resigned as district attorney in September 1988 after six years in office, and his attorney, Gary Richardson of Tulsa, Okla., offered opposing views and said they will be able to prove that

Duncan libeled Feazell in a 10-part series that aired from June to August 1985.

Feazell also claims that an editorial commentary by Channel 8 anchorman Tracey Rowlett about Feazell's performance in office also libeled him.

"I don't know how they can even say some of those things, judge," Feazell told Meyers while citing court cases to rebut contentions made by Belo attorneys Tom Leatherbury and John McElhaney. "Maybe I'm out in left field, but if I am, so is the Supreme Court of the United States."

Leatherbury told the judge that Feazell's claims that he was "tried and convicted on the air" are far-fetched and an issue "ripe for summary judgment."

"Some of the meanings plaintiff has placed on the broadcast are, at times, incredulous," Leatherbury said.

The judge asked Leatherbury how the trial could be shortened if he granted a portion of Belo's motion for summary judgment by ruling on each individual episode's potentially libelous content and throwing it out if he deems it unworthy for jury consideration.

Leatherbury could not guarantee that a partial dismissal would decrease the length of trial, adding that Belo might want to show the jury the episodes and offer testimony about how they were prepared.

Meyers rejected the first motion for summary judgment from Leatherbury and McElhaney in July, but the attorneys amended

their efforts and asked the judge to reconsider a ruling on each individual episode.

The judge, who said he will try to rule by next week, said the idea "compels me to rethink what I did last summer." That prompted Richardson to quip that the judge should recall hard lessons learned by indecisive school children confronted with difficult tests.

"All of us know what happened on exams when we rethought our original thought. It always ended up costing us," Richardson said with a laugh.

Asked by the judge if an out-of-court settlement were possible, Richardson expressed doubt.

"We have had active negotiations, but we are too far apart at this point," Richardson said.

The trial is set for March 11 in Waco's 19th State District Court.

Meyers granted a motion from attorneys for the City of Waco and former Police Chief Larry Scott to dismiss Scott as a defendant in the libel suit. Feazell had alleged that Scott supplied Duncan with false and malicious information for his series.

Scott, whom City Manager John Harrison relieved of command in March and placed in charge of the city's personnel department, filed a countersuit against Feazell. Scott charged that Feazell interfered with his ability to do his job by repeatedly calling for his ouster.

Scott since has dropped that suit in a settlement with Feazell that called for each side to bear its own legal costs.

**County officials express doubts about drug task force**

By MARK ENGLAND  
Tribune-Herald staff writer

McLennan County commissioners Thursday expressed concern about getting their money's worth out of a Central Texas drug task force.

Sheriff Jack Harwell appeared before commissioners to ask that the county continue in a six-county drug task force made up of McLennan, Hill, Bosque, Limestone, Freestone and Navarro counties.

After paying about \$28,000,

McLennan County would have the salary of two officers and their vehicle costs reimbursed by the task force.

Several commissioners, however, had doubts about the task force.

Commissioners Wayne Davis and Ray Meadows questioned if being spread over six counties diluted the drug task force's effectiveness in McLennan County.

Harwell defended the program.

He submitted a sheet showing the names of 54 people that task

force officers arrested in McLennan County on drug charges last year.

"I don't have the personnel to delegate someone to work drugs exclusively," Harwell said. "We never did good work in that area until we got involved in these types of operations."

Meadows said he favored a program that just worked on drugs locally.

Drug labs in other counties manufacture drugs that eventually

wind up here, Harwell said.

"The drug industry is mobile," he said. "It goes up and down the interstate. We have to have contact with other agencies."

That drew a response from Meadows.

"We can chase it when it goes through our county," he said.

Commissioners put off until next Friday a vote on rejoining the drug task force.

Meadows said he wants to talk to officers who have worked on the

task force to get their assessment of its effectiveness.

Commissioner Lester Gibson said he probably will vote for the program.

"Anything that is anti-drug, I'm usually for," Gibson said. "I can understand the other commissioners' concerns, though. Are we just busting users? If that's the case, the regular police force can do that. . . . If I vote for it, though, I'll be evaluating it to see what we get in return for our money."

