

Ex-McLennan DA wins libel suit against WFAA

Station to challenge \$58 million judgment

Associated Press

WACO — In the largest libel judgment in U.S. history, a jury Friday awarded \$58 million to former McLennan County District Attorney Vic Feazell.

The jury said WFAA-TV (Channel 8) in Dallas defamed him in a 1985 series that accused him of taking payoffs in exchange for the dismissal of drunken-driving cases.

"I want to thank God. God led us, God preserved us, God gave us the victory," Mr. Feazell, 39, said at a party shortly after the verdict.

Mr. Feazell said the 11-part series in 1985 by the station and reporter Charles Duncan ruined his reputation and led to an FBI investigation.

He was indicted in 1986 on federal racketeering charges but was acquitted in June 1987. He resigned in September 1988 to go into private law practice in Waco.

Michael J. McCarthy, senior vice president and general counsel of A.H. Belo Corp., which owns WFAA, said the verdict will be challenged.

"The company believes there is

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Largest libel judgment in history awarded in WFAA suit

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absolutely no factual basis to support this jury verdict, which involves a public official. We will obviously pursue all available post-trial motions, and, if necessary, appeals," Mr. McCarthy said.

Neither Mr. Duncan, who has since left WFAA, nor his attorneys would comment on the outcome.

Mr. Feazell and his attorney, Gary Richardson, said they are confident the jury's judgment will stand.

James Meyers of Austin presided over the case. The jury verdict has not yet been entered by the court.

Before Friday's \$58 million award was announced, the largest previous libel judgment reported was \$34 million that a jury awarded Philadelphia lawyer Richard Sprague last May. That case stemmed from a 1973 story in *The Philadelphia Inquirer* that criticized Mr. Sprague's handling of a homicide case when he was an assistant dis-

trict attorney. The newspaper says it will appeal.

The next-largest libel award on record was \$19.3 million that a Las Vegas jury awarded in 1987 to entertainer Wayne Newton against NBC. That suit was filed after an October 1980 telecast that said the government was investigating possible mob ties in Mr. Newton's purchase of the Aladdin Hotel and Casino.

A federal judge later reduced the award to \$5.2 million, and an

appeals court in August dismissed Mr. Newton's suit, finding a lack of evidence that the newscast was either deliberately or recklessly false.

Mr. Feazell filed his lawsuit in 1986 against Mr. Duncan, Belo Broadcasting Corp., and A.H. Belo Corp. In addition to WFAA-TV, A.H. Belo Corp. owns *The Dallas Morning News*, Dallas-Fort Worth Suburban Newspapers Inc., publisher of seven community newspapers in the Dallas-Fort Worth area, and

other television stations.

The lawsuit alleged that Mr. Duncan's series was malicious and filled with inaccuracies and defamatory statements.

A.H. Belo Corp. was dismissed from the lawsuit last month in an agreement after attorneys for WFAA proved that Mr. Duncan never actually worked for the parent company.

Belo attorneys said Mr. Duncan started his series after the incep-

tion of the federal investigation, which led to an indictment of Mr. Feazell, alleging bribery, racketeering and mail fraud.

The series was fair comment on the performance of a public official, attorneys for Belo said.

The 10-count federal indictment against Mr. Feazell in 1986 accused him of accepting about \$19,000 in payments from defense attorneys in exchange for leniency for their clients.



"There's no reversible error in this case. We tried a very conservative case. If there was ever any question, we backed down on it," Mr. Feazell said.

"This whole thing was an orchestrated retaliation against me for exposing the Henry Lee Lucas confession hoax," Mr. Feazell said.

He has said for years that state and federal officials harassed him after he launched a grand jury probe into Mr. Lucas' confessions to hundreds of murders. Mr. Lucas later recanted those confessions.

Visiting state District Judge