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Former Waco DA center of attention as lawyers open \$52 million libel case

By **ROY BRAGG**
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WACO — Attorneys for former District Attorney Vic Feazell and the Dallas television station and reporter he's suing for \$52 million agreed on one thing Tuesday: Feazell is a controversial man.

As opening arguments began in the court of state District Judge James Meyers, the lawyers reviewed the former district attorney's run-ins with City Council, the Police Department and state and federal authorities.

Feazell's attorney, Gary Richardson, told jurors a campaign to ruin Feazell began after he questioned the veracity of serial killer Henry Lee Lucas. High-placed state law enforcement officials were embarrassed when Feazell showed the drifter couldn't possibly have mur-



Feazell

dered some of the 600 people he admitted killing.

Richardson said officials retaliated with a bogus federal investigation that ended in racketeering charges, which Feazell beat in 1986. That campaign was accompanied by a series of reports on WFAA by television reporter Charles Duncan.

Richardson argued the television reports were incomplete and biased. The Tulsa, Okla., attorney presented the nine-woman, three-man jury with a chronology, purporting to connect the television reports with a campaign to smear Feazell.

John McElhaney, representing WFAA and Duncan, responded there was little link between the federal investigation and television reports.

Duncan's reports, which said a federal probe was underway into allegations of kickbacks in Feazell's office, were an accurate description of events in Waco at the time, McElhaney said.

"This is a news-making individual who generated heat in life and is a very proper subject of news coverage," McElhaney said.

Linking the 11-part news report

and the yearlong probe is impossible, McElhaney added, since only two of the reported allegations were part of the multi-count indictment returned against Feazell.

So insignificant was the damage caused by Duncan's reports, McElhaney said, that Feazell stayed in office during the ordeal, was re-elected by a large margin in 1986, and only left office after he voluntarily stepped down in 1988.

Feazell originally filed a \$36 million lawsuit against WFAA and Duncan; however, subsequent court filings upped it to \$52 million.