

Jury in Feazell case to begin deliberations

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Jurors in the multimillion-dollar libel suit filed by Vic Feazell against a Dallas television station today will begin deliberating the complex issues thrown at them during the six-week trial.

The jury will be asked to decide if former WFAA-TV reporter Charles Duncan libeled the former McLennan County district attorney in a 10-part series aired on Channel 8 in Dallas beginning in June 1985.

Attorneys in the case will begin jury summations about 9 a.m. today in Waco's 19th State District Court. Afterward, the jury of nine women and three men will begin to mull over a multipage court charge from visiting Judge James Meyers that will include 20 special issues for them to decide and seven pages of legal instructions.

The suit boils down to whether the jury thinks Duncan and the Belo Broadcasting Co. aired information about Feazell that was false, defamatory and malicious. Courts have defined maliciousness as printing or broadcasting a will-

ful untruth or having a reckless disregard for the truth.

Feazell and his attorney, Gary Richardson, and Belo attorneys John McElhaney and Tom Leatherbury spent Wednesday putting the court's charge together. Jurors got the day off.

Feazell is seeking about \$60 million from Duncan and Belo for professional, political and personal damages he says he suffered in the wake of Duncan's series, which he claims was rife with malicious distortions.

McElhaney and Leatherbury have said Duncan's reporting was nothing more than fair and objective coverage of a controversial public official. They have said Feazell's suit amounts to "slaying the messenger."

The standards for a public official to prove libel are stricter than for a private citizen.

Feazell has claimed widespread rumors that he was accepting bribes to dismiss cases did not start until after Duncan came to

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Waco in April 1985 to start work on the series.

U.S. District Judge Walter S. Smith Jr. testified Tuesday that the rumors about Feazell being "a D.A. who was on the take" were around in late 1984. Feazell had a bad reputation in legal circles before Duncan's series started, Smith testified.

Feazell contends Duncan worked hand-in-hand with state and federal investigators who were seeking to retaliate against

him for his role in discrediting bogus murder confessions made by Henry Lee Lucas.

An Austin jury acquitted Feazell on federal racketeering charges after a six-week trial in 1987. Several jurors then said they thought Feazell had been "framed."

Duncan, who testified for 10 days, and WFAA-TV executives have said Duncan's series had nothing to do with the Lucas recantation story. Duncan, whose contract with Channel 8 was not renewed, is now a private investigator in Dallas.

Station executives testified that Duncan fell victim to budgetary cutbacks.