

FEAZELL

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fee, he could get a letter from Feazell withdrawing his protest of Schroeder's release.

Richardson noted that nowhere in the broadcast does Duncan mention that Schroeder killed a service station attendant during an armed robbery in 1972. Police reports indicate Schroeder shot the man, and as he lay dying, Schroeder reloaded his .22-caliber rifle and shot him again — a total of 14 times.

Richardson asked Duncan why he failed to tell his viewers the details of the homicide. Duncan said the episode was not about the crime or whether Schroeder should be released, it was about his sister and wife trying to sift through the "red tape of the system" to get him released.

Richardson asked why Duncan didn't broadcast that McLennan County Sheriff Jack Harwell and 54th State District Judge George Allen also are sent parole notices by the board. He said both men also could have protested Schroeder's release, adding that if they had, Duncan's statement that

Schroeder's parole "hinged" on Feazell's protest would not be true.

Duncan said he reported that it was the "feeling" of Schroeder's sister that Feazell had effectively blocked his release.

Asked why he didn't try harder to reach Moody for his response, Duncan said he tried to call him four or five times before the broadcast aired and two times on the day it ran. Phone messages introduced by Richardson showed Moody tried to reach Duncan about noon on the day the eighth episode ran on Channel 8.

"Would you agree that the majority of reporters, especially people who call themselves investigative reporters, would not print trash such as this unless they can get a primary source to confirm it?" Richardson asked.

Duncan said, "No, not at all," adding that he made the effort to reach Moody but was unable to do so.

Also Friday, tempers between parties flared when Belo attorneys John McElhaney and Tom Leatherbury for the second day in a row questioned courtroom spectators about conversations they had during breaks with jury members.

On Thursday, McElhaney saw

Pat Stowers, a friend of the Feazell family and wife of Dallas author Carlton Stowers, talking to a woman on the jury during a break. McElhaney asked visiting Judge James Meyers for a mistrial because he contended that Mrs. Stowers was readily identifiable as a Feazell partisan and could affect the outcome of the trial.

Mrs. Stowers said the jurors asked her if she could bring a cup of water into the courtroom and the conversation turned to the coincidence that Mrs. Stowers' brother-in-law coached football in East Texas with the woman's husband.

The judge denied the mistrial.

McElhaney said he also saw Ernest Garcia talking to two jurors during the break. McElhaney and Leatherbury, however, did not ask for a mistrial after Garcia's testimony about their conversation.

When Garcia stepped down, Richardson said he had heard that McElhaney talked to a juror Friday morning. An obviously angry McElhaney took the stand, saying that he told a juror that she could pay for her drink before him at the first-floor coffee bar, "and that was the entire extent of our conversation."

Report omitted key details, says Feazell attorney

By TOMMY WITHERSPOON 294
Tribune-Herald staff writer

A complaint by the family of a convicted murderer that Vic Feazell blocked his parole gave former Dallas television reporter Charles Duncan one more chance to attack the former McLennan County district attorney, Feazell's attorney charged Friday.

Testimony in the nine-day trial centered around episode eight of a 10-part series Duncan produced in 1985 that aired on WFAA-TV, Channel 8, in Dallas. Feazell, who claims the series was libelous, is seeking \$52 million from Duncan and the Belo Broadcasting Co., which owns Channel 8.

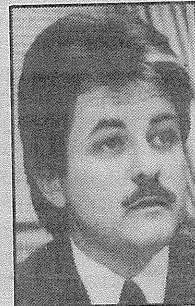
Duncan, who is now a private investigator in Dallas, spent his seventh day on the witness stand defending his series against questions and allegations from Feazell's attorney, Gary Richardson.

Duncan will resume his testimony Monday, when the trial enters its third week. Attorneys in the case said Friday that the trial could last three more weeks.

In episode eight, aired in July 1985, Duncan said a McLennan County woman claims her "brother's future hinges on favors between a Waco lawyer and District Attorney Vic Feazell."

The segment said the woman thinks the only thing standing between the release of her brother, Robert Charles Schroeder, is a protest filed by Feazell with the Board of Pardons and Paroles.

So she and her family consulted Waco attorney Ron Moody, who reportedly told them that Feazell owed him a "couple of favors." Moody said that for a \$2,000



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