

## Texas Jury Grants \$58 Million In Largest U.S. Libel Verdict

WACO, Tex., April 20 (AP) — In the largest libel judgment in American history, a jury here has awarded \$58 million to a former District Attorney, finding that a Dallas television station recklessly defamed him in 1985 with a news series that accused him of taking payoffs for dropping drunken-driving cases.

The television station, WFAA, whose reporter on the series was a co-defendant, said it would challenge the award through post-trial motions and, if necessary, an appeal. In the last decade, most libel judgments against news organizations have been overturned on appeal, and the amount of the award in many surviving judgments has been substantially reduced.

The judgment here, returned Friday in State District Court, was far greater than the previous record for a libel award in an American court. That record was established 10 years ago, when a jury ruled that Hustler magazine had libeled Robert Guccione, publisher of Penthouse, and ordered Hustler to pay damages of \$40.2 million. But the trial judge reduced that award to \$2.8 million, and an appeals court overturned the verdict entirely.

### An 11-Part Series

Until Friday, the record for a libel judgment against a news organization was the \$34 million that a jury last year ordered The Philadelphia Inquirer to pay Richard A. Sprague, a former first assistant district attorney in Philadelphia. That case remains on appeal.

In the case here, the plaintiff was Vic Feazell, former District Attorney of McLennan County, which includes Waco.

Mr. Feazell contended that WFAA's 11-part series had been either deliber-

ately or recklessly false, the standard that must be met to sustain a public figure's assertion that he was libeled.

Mr. Feazell said the series had ruined his reputation and led to the investigation that, in turn, resulted in his indictment in 1986 on a number of Federal charges, including racketeering, bribery and mail fraud. He was acquitted in 1987 and resigned as District Attorney a year later to enter private law practice in Waco.

After the jury's verdict on Friday, Mr. Feazell, now 39 years old, repeated his frequent assertion that the Federal

### An ex-prosecutor sues over a TV series and wins.

prosecution had been "an orchestrated retaliation against me for exposing the Henry Lee Lucas confession hoax."

Mr. Feazell has contended for years that Federal and state officials were determined to harass him because he had undertaken a grand jury investigation into the confessions of Mr. Lucas, a drifter, that he had committed hundreds of murders across the country. Mr. Feazell doubted the confessions, and Mr. Lucas later recanted them.

Lawyers for WFAA's owner, the Dallas-based A.H. Belo Corporation, argued during the trial that the reporter on the series, Charles Duncan, had begun his work on it after the inception of the Federal investigation that led to the indictment of Mr. Feazell. The series was fair comment on the performance of a public official, the defense contended.

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