

# Feazell's attorneys outline case

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An attorney for Vic Feazell called former television reporter Charles Duncan a "master craftsman in the art of distortion" and said Duncan conspired with vengeful law enforcement officers to ruin the former McLennan County district attorney's reputation.

Attorneys in the libel suit Feazell filed in 1986 against Duncan and the Belo Broadcasting Co. laid out their cases Tuesday afternoon during opening statements to a 19th State District Court jury of nine women and three men.

Feazell is seeking \$52 million in damages he claims he suffered when Duncan, a former Channel 8 reporter, produced a 10-part series beginning in June 1985 about Feazell's performance in office.

Belo attorney John McElhaney told ju-

## Conspiracy by media, officers alleged

rors that Duncan began his series after receiving news tips about Feazell, whom the attorney characterized as a controversial, flamboyant figure who sought and often gained the news media spotlight.

Duncan's series was nothing more than fair reporting on a public official, McElhaney said, adding that Feazell is suffering from "kill the messenger" syndrome.

Duncan, who is now a Dallas private investigator, is expected to be the trial's first witness when testimony begins at 9 a.m. today.

Feazell's attorney, Gary Richardson of Tulsa, Okla., said he will prove that Duncan met in April 1985 with Department

of Public Safety investigator Ron Boyter and former Waco police legal adviser Bill Johnston, who is now an assistant U.S. attorney in Waco. He said he also will prove the three plotted to smear Feazell's credibility.

The meeting took place at a Waco motel room and predated the start of a state and federal investigation that resulted in Feazell's indictment in September 1986 on federal racketeering, bribery and mail fraud charges, Richardson said.

He said the men conspired to ruin Feazell for his role in conducting a grand jury investigation in Waco that began to unravel the bogus murder confessions of Henry Lee Lucas, once thought to be this

nation's worst mass murderer.

Lucas' recantations of his more than 600 murder confessions embarrassed the Texas Ranger Task Force that had custody of Lucas during his confession fest, and certain officers, with Duncan's help, set out to "defuse" the impact by destroying Feazell's credibility, Richardson said.

Richardson said each segment in the series, which will be played for the jury, contained "false, malicious and defamatory information" that Duncan carefully crafted to attack Feazell's reputation.

Richardson said Feazell never would have been indicted if Duncan had lived up to accepted journalistic standards and ethics. Richardson likened Feazell to a "boxer with his hands handcuffed behind him with no ability to fight back" in de-

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scribing the effect Duncan's series had on him.

McElhaney called the analogy "baloney," saying Feazell declined an on-camera interview with Duncan and later was provided a forum that was acceptable to him by the television station for his response.



Duncan

Feazell, who resigned as district attorney in September 1988, was acquitted by a federal jury in Austin after a six-week trial.

McElhaney said the federal investigation and "rumblings" of wrongdoing by Feazell started months before Duncan became involved. He said it is "ludicrous" for

Feazell to try to link the Lucas investigation to Duncan's series or the federal investigation.

"It is all very interesting, but it is just a shaggy-dog story," McElhaney told the jury. "Trying to link together separate and independent news stories and to have this great conspiratorial attitude about it that Channel 8 was all part of this great conspiracy is ludicrous."

Feazell will not be able to prove a "single bit of tangible damage" because he won re-election in 1986, even after his indictment, McElhaney said. Feazell resigned from office voluntarily and has lost no wages because of the series, he added.

"It is a quantum leap to conclude that as soon as Charles Duncan hit town, Vic Feazell's wonderful life was over," McElhaney said.



Feazell

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