

# Libel Suit Against Editor Dismissed

New York (AP) — A Manhattan judge has dismissed a \$3 million libel suit filed by civil rights activist Roy Innis against a Newsday editor, Les Payne, who said on a television show that Innis "was flacking for the CIA" and had "put a contract out on me."

State Supreme Court Justice John A. K. Bradley said the "contract" remark was just "rhetorical hyperbole," and saying someone works for a government agency is not defamatory, even if the statement is false.

Payne talked about Innis on WABC-TV's "Like It Is," taped March 15, 1984, and broadcast three days later. Gil Noble was host of the program, and Payne was one of several guests who discussed whether black journalists should report information that reflected badly on black leaders.

Payne, who is black and an assistant managing editor of Newsday, said, "I think the role of the reporter is to report the facts as he or she sees them. . . . I don't think that as a black reporter it means we must automatically be supportive of anything that is black."

Payne went on to say he had written stories critical of black leaders, including Innis, the national director of the Congress on Racial Equality:

"I wrote a story about Roy Innis — and he put a contract out on me, you know — which said that the scheme he had in Angola was CIA-sponsored and that he was flacking for the CIA when he was trying to recruit black . . . Vietnam veterans for this thing in Angola."

Innis sued. He said Payne's remarks were false and defamatory, had injured his reputation and good standing in the community and hurt his effectiveness as leader of CORE.

Payne responded that "there was no intent on my part to indicate that Innis had hired killers to carry out a contract to murder me." He said the phrase was meant to indicate that the CORE leader was unhappy about a critical article Payne had written.

As for the "CIA" remark, Payne said, "I believed then and now that this reference was true in fact." He said the article noted that Innis admitted the recruiting plan and that intelligence sources had said the plan was CIA-backed.

In his ruling Wednesday, Bradley found that, "Taken in context, the expression is no more than rhetorical hyperbole" and "a vigorous epithet."

[Databases selected:](#) Newsday

## Leader of CORE Loses Libel Suit; [CITY Edition]

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### Abstract (Summary)

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### Full Text (442 words)

*(Copyright Newsday Inc., 1985)*

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In his ruling Wednesday, Bradley found that, "taken in context, the expression is no more than rhetorical hyperbole" and "a vigorous epithet."

"To deny the use of hyperbole would condemn public discussion to arid, dessicated recitals of bare facts," the judge said.

Bradley also said "a false report of a lawful attempt to assist a government agency is not defamatory. This is true even if plaintiff's friends and colleagues dislike the government agency and disdain those who assist it."

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