

The Anatomy of a Hoax

From the TransCyberian Express

Often, a bogus charge of anti-Semitism (or racism) is made because of values or opinions or beliefs expressed in a public forum.

Consider the case of one Thomas Speers of Waterbury, CT, whose expression of free speech, ironically, landed him in court at the behest of the the radio talk show host whose program Speers had called.

Speers was arrested after radio talk show host Jay Clark, who is Jewish, filed a complaint with the police. Among the accusations made against Speers was that he was guilty of "Jew baiting." Why? Because he had been a frequent critic of Israel. Jay Clark, the talk show host, incidentally, also testified that he himself often made quite personal attacks on Speers on the air.

Speers, however, contended that he was not anti-Semitic, but that he was merely anti-Zionist and anti-Israel.

In ordering Speers' acquittal, Superior Court Judge, Anthony V. Demayo, said:

"What upsets me most about the state's position is that the reason we are prosecuting this defendant is that his views differ so vehemently from those of the talk-show host."

Caller is acquitted of harassing talk show [Associated Press, April 8, 1989]

WATERBURY, CONN. – A judge ordered an acquittal Tuesday in the trial of a man who was charged with harassment because he made frequent anti-Zionist calls to a radio talk show.

Thomas Speers, 44, was arrested in January 1986 after talk-show host Jay Clark filed a complaint with police.

About two hours after the prosecution rested its case Tuesday, Superior Court Judge Anthony VDeMayo ordered an acquittal. The case never went to the six-member jury.

DeMayo said Speers was exercising his First Amendment right of free speech in calling Clark's program.

Clark, host of the weekday "Talk of the Town" program on WATR-AM in Waterbury, complained to police about Speers' frequent telephone calls and post cards. Clark, who is Jewish, testified that he thought he was a victim of "Jew baiting" because Speers frequently complained about Israel.

Speers contended that his calls and post cards were protected by the First Amendment. He also denied being anti-Semitic, saying his calls were anti-Zionist and anti-Israel.

The judge said: "His choice of language might be unpleasant, but I heard nothing that might be obscene or that could be categorized as fighting words. All of it falls under the category of political speech.

"What upsets me most about the state's position is that the reason we are prosecuting the defendant is that his views differ so vehemently from those of the talk-show host."

After the trial ended, Speers said he probably would resume calling Clark's program. He had ceased making his calls after his arrest.

Clark testified that Speers calls upset him. He said Speers would call to make such comments as "Jews kill Arab babies" and "Did you know there are concentration camps in Israel?"

The talk-show host said he kept some tapes of telephone calls from Speers, but he had no record of calls in which Speers made statements that Clark found upsetting.

Clark also testified that he frequently made personal attacks against Speers on the air and wasn't aware of federal regulations regarding such attacks.

Under the so-called Fairness Doctrine, the target of a personal attack must be supplied with a transcript, tape or summary of the attack. The target also must be afforded on-air time to respond.