

History on Trial
Episode 5
California v. Confidential
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PROLOGUE

On the evening of November 5th, 1954, Florence Kotz got ready for bed as usual. A 37-year-old secretary living on quiet Waring Avenue in West Hollywood, Los Angeles, Kotz put her curlers in, slipped under the covers, and turned off the lights. It was a Friday, so maybe she even planned to sleep in the next day. But she wouldn't get the chance.

In the middle of the night, Florence's door exploded inward in a shower of wood and glass. Before she could react, a group of men rushed in. A blinding light flashed in her face. Florence huddled in her bed, paralyzed by fear. And then...nothing. She heard one of the men yell, "We've got the wrong place!" They turned around and ran out through her kitchen, breaking glasses and leaving a mess.

Once she was certain they were gone, Florence called the police, who couldn't make heads or tails of the event. It must have been an attempted burglary, an officer told the terrified woman. She was lucky to have escaped unhurt. And because she hadn't seen any of the men's faces, blinded by the bright lights they'd shone, there wasn't much for the police to go on. The case wasn't likely to get solved, Florence learned. She would just have to live with the fear.

But less than a year later, a shocking break in the case arrived from an unusual source: a tabloid magazine. In September 1955, *Confidential* magazine, the top celebrity scandal sheet in the country, published a story about the break-in at Florence Kotz's apartment. It might seem like a strange story for a celebrity magazine to care about, but *Confidential* had good reason: the men who had broken into Florence's apartment that night, the article claimed, were none other than Frank Sinatra and Joe DiMaggio.

In the article, titled "The Real Reason for Marilyn Monroe's Divorce," *Confidential* explained how the famous singer and the Yankees star had come to be there. Florence Kotz, it turned out, lived in the same small apartment building as one of Marilyn Monroe's friends, an actress named Sheila Stewart. Joe DiMaggio, still reeling from his and Monroe's divorce, had become convinced that Monroe was using Stewart's apartment to meet with the man he thought Monroe had left him for. Acting on information from the private investigator he'd hired, and likely fueled by more than a few drinks, DiMaggio had enlisted some friends, including Sinatra, to help him catch

Monroe in the act. It was a sloppy plan, and it had unsurprisingly gone very wrong: instead of going into Sheila Stewart's apartment on the second floor, the group had broken into the first-floor home of Florence Kotz.

So Florence finally got some answers about what had happened to her that night. And she eventually got some reparations - she sued DiMaggio, Sinatra, and the other men, and got a settlement. But the story of the "Wrong-Door Raid," as it came to be known, was far from over.¹

Because California officials had some questions about how *Confidential* magazine had gotten their story. In February 1957, California State Senator Fred Kraft held a series of hearings to determine if *Confidential* had gotten the story by paying off a private investigator.

You might be wondering: why would a state legislature care where a scandal magazine got its stories from? Well, *Confidential* magazine wasn't just any scandal magazine. It was one of the most powerful publications in the country, with a reader base in the millions and the ability to ruin a star's career with a few carefully worded sentences. People all across America worried that *Confidential's* salacious content would corrupt the country's youth. In California, politicians and entertainment executives worried that its shocking stories would destroy the lucrative movie industry. And so by 1957, the studios and the government were looking for ways to take the magazine down. The state senate hearings into the "Wrong-Door Raid" story were only the first step. Three months later, in May, 1957, a grand jury convened by the ambitious California attorney general Pat Brown indicted *Confidential*, along with several key employees and partner businesses, on, among other things, charges of conspiracy to commit criminal libel and conspiracy to publish obscene and indecent material.

For years, *Confidential* had held Hollywood hostage, using a network of informants to dig up dirt on America's biggest celebrities. But now Hollywood was fighting back with the assistance of the government.

The ensuing trial would put the right of freedom of the press into question. Because *Confidential's* stories were nasty, no doubt, but, the magazine would claim, they were all true. And could publishing the truth, no matter how indecent, ever be a crime? Americans were about to find out.

¹Jon Ponder, "Wrong Door Raid: The Celebrity Scandal That Iried Sinatra, Made a Fool of DiMaggio—All at Marilyn Monroe's Expense," *West Hollywood History*, November 6 2020, <https://www.westhollywoodhistory.org/galleries/wrong-door-raid-the-celebrity-scandal-that-iried-sinatra-made-a-fool-of-dimaggio-all-at-marilyn-monroes-expense-2/> and Henry Scott, *Shocking True Story: The Rise and Fall of Confidential, "America's Most Scandalous Scandal Magazine,"* (New York: Pantheon, 2010).

Welcome to History on Trial. I'm your host, Mira Hayward. This week, *The State of California v. Confidential*.²

ACT I

Confidential's creator and publisher, Robert Harrison, was no stranger to scandal. After coming up as a reporter for the New York gossip rags, Harrison had gone into business for himself, creating a number of so-called "girlie" magazines – publications filled with images of scantily clad women. Harrison was a hands-on magazine executive, regularly acting as a photographer for his magazines, and sometimes even posing in photos himself. He was also an ambitious man. When his girlie magazines failed to make ends meet, Harrison began casting around for a new, more profitable concept. And he found it on television.

Throughout 1950 and 1951, a Senate committee led by Senator Estes Kefauver investigated the state of organized crime in America in a series of hearings that were broadcast live on television. Americans were glued to their TV screens as a procession of mobsters testified in front of the committee – the March 1951 hearing in New York attracted an estimated 30 million viewers.³

Harrison was also inspired by the *Confidential* series of books, which came out between 1948 and 1952, and profiled different American cities: *New York Confidential*, *Chicago Confidential*, and so on. The *Confidential* series claimed to reveal what was really happening in these cities: the books shocked their readers with depictions of crime, sex, and debauchery happening, allegedly, in the heart of every city. They had a distinct point of view: as historian and law professor Samantha Barbas puts it in her book on the magazine, *Confidential Confidential: The Inside Story of Hollywood's Notorious Scandal Magazine*, the *Confidential* books were "racist, sexist, homophobic, and largely false."⁴ They were also bestsellers.

Seeing the public interest in the Kefauver hearings and the *Confidential* books, Harrison had a realization: the American people craved this kind of content, the story-behind-the-story, a glimpse into the private lives of public figures and the dirty underbelly of modern life. Thus *Confidential* magazine was born.

² The full case name is *People of the State of California v. Marjorie Ann Meade, Fred S. Meade, Confidential, Inc., Hollywood Research, Inc., Publishers Distributing Corporation, and Whisper, Inc.*

³ "Special Committee on Organized Crime in Interstate Commerce," United States Senate Senate Historical Office, <https://www.senate.gov/about/powers-procedures/investigations/kefauver.htm>.

⁴ Samantha Barbas, *Confidential Confidential: The Inside Story of Hollywood's Notorious Scandal Magazine* (Chicago: Chicago Review Press, 2018), 23.

The first issue of *Confidential*, which hit newsstands in September 1952, set the tone for what was to come. The cover, printed in lurid, eye-catching blue, yellow, and red, featured giant headlines that leapt from the page. Photographs were grainy, blown up, and unflattering. And like that of its namesake book series, the magazine's content was sleazy, shocking, and bigoted.

This type of magazine, focused on exposés and gossip, were often called scandal magazines. *Confidential* wasn't the only scandal magazine on the market, so Robert Harrison had to find a way to set it apart. Plan A? Lie! If his reporters couldn't find juicy enough stories, they could just make up better ones. Early issues of *Confidential* featured completely invented tales of sex and crime, bolstered up by posed or composite photos. But even bonkers creations like a mob-run grave robbing ring couldn't boost the magazine's circulation.⁵ Harrison needed a new angle.

In the summer of 1953, he found it. In the August issue, *Confidential* ran an article about the relationship between Joe DiMaggio and Marilyn Monroe, who were then dating. The piece, called "Why Joe DiMaggio is Striking Out with Marilyn Monroe," alleged that Monroe's mentor, the seventy-six-year-old cofounder of 20th Century Fox, Joe Schenk, was interfering in the relationship - either out of concern for Monroe's career, or because Schenk was sleeping with Monroe himself. The magazine heavily implied it was the latter. And Americans ate it up. *Confidential's* circulation doubled overnight.⁶

Harrison knew he was onto something. If people liked reading about the secret lives of mobsters, they *loved* reading about the secret lives of movie stars. Throughout the rest of 1953 and 1954, *Confidential* increasingly focused its coverage on Hollywood. "We've got to have more Hollywood stories," Harrison told his staff. "The hotter the better."⁷

A decade earlier, it would have been impossible for a magazine like *Confidential* to get the kind of Hollywood stories they wanted. For the first half of the twentieth century, Hollywood had been tightly managed by the movie studios. Studios controlled every step of the film business, from production to distribution, and they controlled the lives and images of their contracted stars with the same iron fist. The only way for journalists to get access to stars was to play along with the studios, and produce the kind of positive coverage they wanted. But by the 1950s, the studio system was crumbling. A 1948 Supreme Court decision, *United States v. Paramount Pictures, Inc.*, had ruled that the studios held an unfair monopoly. Studios were forced to give up control over many

⁵ Barbas, *Confidential Confidential*, 33.

⁶ Barbas, *Confidential Confidential*, 69.

⁷ Barbas, *Confidential Confidential*, 80.

aspects of the business, dealing them a serious financial blow.⁸ At the same time, the rise of television had decreased movie attendance. As the studios lost power, their threats to blackball journalists who didn't cover stars in the "right" way lost weight. And the stars, who were used to the studios covering up their bad behavior, were suddenly very exposed.⁹

The gossip cup was running over and *Confidential* was ready to catch every last drop. Harrison began coordinating a network of informants across Los Angeles. Everyone from sex workers to police officers to studio employees, and even movie stars themselves soon learned that *Confidential* would pay well for good dirt. *Confidential* paid nannies to spy on employers, hairdressers to listen in on client conversations, and waiters to remember who ate with whom. To get their stories, *Confidential* equipped its sources with all sorts of spy gadgets including bugs to tap phone lines and watches that held hidden recorders.¹⁰ Harrison's niece, Marjorie Meade, and her husband Fred, eventually moved to Los Angeles and established a company called Hollywood Research, Inc, which coordinated and organized the information coming in from tipsters.

Harrison had correctly gauged the public's interest in Hollywood gossip. By 1955, the magazine's circulation was close to 4 million. Most copies were passed along to additional readers - an estimated four readers per copy - putting *Confidential's* readership at close to 16 million people - or one in every ten Americans.¹¹ With that kind of audience came great power. *Confidential's* stories could make or break a star's career. A March 1955 story about an alleged interracial romance between the white actress Ava Gardner and the black singer-dancer Sammy Davis Jr. led to Gardner's films being boycotted and banned in parts of the country. Two months later, a story about the actor Rory Calhoun's criminal past - and how he had turned his life around thanks to religion - earned Calhoun 8,000 fan letters and completely revitalized his career.¹²

As *Confidential's* influence grew, the movie studios increasingly came to view the magazine as a threat. The studios were more vulnerable than ever. Their profits were down and their audiences were straying. People also thought Hollywood was corrupting

⁸ Scott Bomboy, "The day the Supreme Court killed Hollywood's studio system," *National Constitution Center*, May 4 2023,

<https://constitutioncenter.org/blog/the-day-the-supreme-court-killed-hollywoods-studio-system>

⁹ Anne Helen Petersen, *The Gossip Industry: Producing and Distributing Star Images, Celebrity Gossip, and Entertainment News, 1910-2010*, unpublished dissertation, The University of Texas at Austin, 2011, 68

¹⁰ Scott, *Shocking True Story*, 1032. N.B. that page numbers refer to locations in a digital edition of the book; numbers may vary, and Samantha Barbas, "The Most Loved, Most Hated Magazine in America: The Rise and Demise of Confidential Magazine," *William & Mary Bill of Rights Journal* vol. 25, issue 1, 2016-2017, 14.

¹¹ Barbas, "The Most Loved," 124-125.

¹² Barbas, *Confidential Confidential*, 115 (Gardner), 134-135 (Calhoun).

the country's morals. The studios even faced a Senate inquiry into whether movies could be tied to a rise in juvenile delinquency.¹³ The last thing Hollywood needed was a magazine digging up all of the industry's buried bodies. In the mid-1950s, the studios decided to fight back – and they were prepared to fight dirty.

ACT II

In the summer of 1955, studio publicity heads met in secret at the Beverly Hills Hotel to discuss the *Confidential* problem. Shortly after the meeting, one of the publicists traveled to New York to meet with *Confidential*'s editors. Wouldn't it be better for everyone, he asked the editors, if the magazine focused on athletes or politicians or really anyone besides Hollywood stars? *Confidential*'s editors laughed him out of the office.¹⁴

This straightforward approach having failed, the publicists moved on to something more cloak and dagger. Enlisting movie producers and an actress to help them, the publicists cooked up an elaborate trap for *Confidential*. The team planted gossip about the actress, backing up their story with witnesses. They made sure the story eventually got to *Confidential*, via a chain of tipsters. When *Confidential* sent a private investigator to look into the story, everything seemed to check out. But had *Confidential* run it, they would have been vulnerable to an enormous libel suit, because the story the publicists had planted was entirely, verifiably false. At the last minute, though, the magazine had doubts, and killed the story. The studios were foiled again.¹⁵

If they couldn't control *Confidential*, the studios decided, maybe they could control the flow of information out of Hollywood. Each of the six largest studios agreed to contribute to a fund which would pay for a private security force to monitor stars' behaviors and interfere with *Confidential*'s information gathering network. But the studios eventually balked, fearing that *Confidential* would discover their plans and attack. A plan to blacklist anyone thought to be a *Confidential* informant was abandoned for similar reasons.¹⁶

Celebrities, sick of having their dirty laundry aired in the magazine's pages, wanted the studios to fight harder. Many stars felt powerless on their own. They had the option to file libel suits against *Confidential*, yes, but there were a number of reasons not to. First, a suit could draw attention to the very thing that the stars hoped to keep hidden. "Filing a suit would only give [*Confidential*] the publicity they want," said Marlon Brando,

¹³ Barbas, *Confidential Confidential*, 125.

¹⁴ Barbas, *Confidential Confidential*, 128.

¹⁵ Barbas, *Confidential Confidential*, 129

¹⁶ Barbas, *Confidential Confidential*, 129.

“[...]And maybe I’d get an award of 8 cents.”¹⁷ There was also the fear that a suit would provoke *Confidential* into spilling even more information about the star. It was well known that *Confidential* often published only *parts* of the stories they received from tipsters, holding on to the most damaging tidbits as insurance against legal action.¹⁸ And finally, there was the problem of jurisdiction. *Confidential* was a New York based company. Most of the stars it wrote about lived in California, and filed their rare libel suits against the magazine in that state – suits that judges quickly dismissed, saying that California did not have jurisdiction over a New York company. The New York courts were notoriously backed up, and filing there might have meant a years-long wait to be heard.¹⁹

As stars considered how best to deal with *Confidential*, the studios escalated their battle to the federal level. In August 1955, several studio heads reached out to Postmaster General Arthur Summerfield with a bold request: they wanted the Post Office to revoke *Confidential*’s mailing privileges. One movie producer was alleged to have told Summerfield, “Unless they take away[...]Harrison’s mailing privileges, this industry is done for.”²⁰ Summerfield, who saw obscenity as one of the gravest threats to American society, had his own reasons for disliking *Confidential*. On August 27th, he issued a “withhold from dispatch” order on the November issue of *Confidential*. Under the order’s terms, no issue of *Confidential* could be mailed without first being reviewed by the Post Office and being found free of “improper” content. The determination of whether content was or was not “improper” was entirely up to the Post Office. Harrison responded by filing suit against Summerfield, and a judge eventually ruled in the magazine’s favor, saying that the Post Office was violating the magazine’s right to due process by threatening to ban it with no notice, charges, or hearings. *Confidential* had won again. The fight with the Post Office had even raised the magazine’s profile, and with that, its circulation.²¹

But a raised profile also brought unwanted scrutiny. The studio executives were not alone in their concerns about *Confidential*. Segments of the American public were worried about the effect scandal magazines might have on the nation’s morals. To some, these magazines seemed to represent everything wrong with the country: as one Californian told a newspaper, quote, “All scandal magazines should be taken off the market. They are a menace to society. They carry nothing but trash and that is no good for our youth.”²² Scandal magazines weren’t the only target for criticism - many Americans worried about the effect of *any* reading materials that freely discussed

¹⁷ Barbas, *Confidential Confidential*, 163.

¹⁸ Scott, *Shocking True Story*, 647.

¹⁹ Barbas, *Confidential Confidential*, 169

²⁰ Barbas, *Confidential Confidential*, 184.

²¹ Barbas, *Confidential Confidential*, 194.

²² Barbas, “The Most Loved,” 139.

hot-button topics like sex, violence, and race. Throughout the 1950s, many communities set up “review boards” which determined if publications were inappropriate – if they were found to be so, local distributors, including booksellers, newsstands, and libraries, were strongly encouraged not to carry these items – under the vague threat of legal action.²³

What about freedom of the press, you might ask? Here’s one magazine writing on that very question in 1957: quote, “the framers of the Constitution never meant the First Amendment to protect filth peddlers who poison minds.”²⁴ And this magazine wasn’t the only one to take this position - many journalists and publications believed that scandal magazines like *Confidential* were not entitled to the same legal protections as more traditional publications. They feared that aligning themselves with scandal magazines could end up damaging their own rights.

Back in Hollywood, the studios sensed that the tide of public opinion might be turning their way. In October 1956, when Harrison appeared on *The Tonight Show* to defend scandal magazines, the audience booed him.²⁵ It was time for the studios to strike.

In December 1956, MGM released *Slander*, a movie about an unscrupulous scandal magazine publisher unfairly ruining the life of a well-meaning actor. The movie was melodramatic - it ends with the publisher’s mother killing him, disgusted by what her son has become - and flopped at the box office, but its heavy-handed message did not go unnoticed. *Slander*, quote, “reeks with the motion picture industry’s long-pent-up sense of vengeance,” wrote Texas’s *Amarillo Globe*.²⁶ Harrison responded in a typically cheeky fashion, hiring models to picket the movie outside a Broadway theater, holding signs that read *Slander* is “unfair to Confidential”!²⁷

But the studios weren’t done there. Though their attempt to get *Confidential* through the Post Office had failed, they now recognized the power of governmental attacks on the magazine.

In January 1957, the California State Senate formed a committee to investigate the practices of private detectives in the state. Or at least, that was the committee’s alleged purpose. In reality, the committee had been formed at the behest of the studios, and planned to look into how *Confidential* got its stories.²⁸ This was the committee

²³ Barbas, “The Most Loved,” 145.

²⁴ Barbas, “The Most Loved,” 140.

²⁵ Barbas, *Confidential Confidential*, 213.

²⁶ Barbas, *Confidential Confidential*, 220.

²⁷ Barbas, *Confidential Confidential*, 220.

²⁸ Barbas, *Confidential Confidential*, 224.

mentioned in the prologue that looked into the “Wrong-Door Raid” at Florence Kotz’s apartment.

The committee’s investigation eventually fizzled out in March, with lead Senator Fred Kraft declaring that though the magazines were a quote, “national disgrace..The field is beyond the scope of a single State Legislature.”²⁹

But the state’s war on *Confidential* was far from over. California Attorney General Pat Brown announced that his office, in tandem with the Los Angeles County District Attorney, would be now pursuing charges against *Confidential*. Brown said his decision was motivated by a desire to protect children from the magazine. He also claimed that *Confidential* quote “caused divorces and broken homes, and [led] to blackmail.”³⁰ But behind the scenes, the studios were again pulling the strings. Brown was pursuing a run for governor, and the film industry had made it clear to him that they would look favorably upon a candidate who supported their crusade against *Confidential*.³¹

In May 1957, Brown and Los Angeles County District Attorney William McKesson convened a grand jury to look into *Confidential*. On May 15th, the grand jury indicted *Confidential*, members of its staff, its printer and distributor, and its sister magazine, *Whisper*, on four charges, including conspiracy to commit criminal libel and conspiracy to publish obscene and indecent material. Robert Harrison addressed the charges directly in an editorial in *Confidential*. “This magazine is under assault in the California courts,” Harrison wrote. “This is a determined effort, initiated by a segment of the motion picture industry, to get this magazine.” He positioned *Confidential* as a brave truth-teller, a publication unafraid to reveal to the American people what the elite did not want them to know. “Is an American jury going to “get” us for daring to tell that truth?” Harrison asked. “We don’t believe so.”³² His assumptions would soon be put to the test. *Confidential*’s trial was scheduled to begin in August.

It almost ended before it started, though, because it seemed that both sides had lost their appetite for the fight.

Throughout the summer, Harrison’s lawyers had been issuing subpoenas for celebrities. Most stars had managed to avoid the summons - slipping out of back entrances, heading to Las Vegas, even leaving the country - but some hadn’t: Dean Martin, Lana Turner,

²⁹ Scott, *Shocking True Story*, 2302.

³⁰ Barbas, “The Most Loved,” 176.

³¹ Scott, *Shocking True Story*, 2377.

³² Robert Harrison, “Hollywood vs. Confidential,” *Confidential Magazine*, September 1957, via *Famous Trials*, <https://famous-trials.com/confidentialmagazine/2335-hollyvs-confid>

and Gary Cooper were among those who had received subpoenas.³³ Studio executives panicked. The last thing they wanted was for their biggest box office draws to have to confirm or deny their sins under oath. Arthur Crowley, the high-powered Los Angeles lawyer running the defense, knew just what he was doing: “I want to make it clear that the reputations of many persons will suffer if this case goes to trial, because we are going to offer the truth as a defense,” he stated.³⁴

Studio executives heard Crowley’s message loud and clear, and they started to have second thoughts about the trial. George Murphy, head of the Motion Picture Industry Council, approached the prosecutors and urged them to reach a compromise.³⁵ The defense was receptive: Harrison knew that this trial, no matter the outcome, would be enormously expensive. So the two sides came to an agreement: *Confidential* would stop focusing on celebrities, in exchange for some of the charges being decided by a judge, and others being dropped.

But Judge Herbert Walker rejected the deal. The state had brought charges for good reason, he said, and this compromise didn’t do enough to address those charges.³⁶ The trial would proceed. Stars and *Confidential* executives alike held their breath. No matter who won the case, everyone knew, scandal was sure to ensue.

ACT III

On August 2nd, 1957, the trial began at the Los Angeles Superior Court. Robert Harrison wasn’t there. In fact, only two of the people charged in the grand jury indictment were present. All summer, *Confidential*’s lawyers had been battling to prevent the extradition of their clients from New York, and they had succeeded. The face of *Confidential* at the defense table would not be its infamous publisher, Harrison, but his niece, Marjorie Meade, and her husband, Fred. Marjorie and Fred had flown back into Los Angeles in May to surrender, and Marjorie, decked out in furs and diamonds, had asked reporters then, “[d]on’t you think this whole thing has a little to do with destruction of freedom of the press?”³⁷ Now she sat quietly in the courtroom, her dyed red curls and large eyes drawing admiring looks.

The prosecutors, William Ritzi and Clarence Linn, presented quite a contrast to the glamorous Meades. Ritzi, a Los Angeles deputy district attorney, and Linn, an assistant attorney general, were both serious, religious men – Linn taught Sunday school back

³³ Barbas, “The Most Loved,” 179; for list of celebrities who received subpoenas, see Scott, *Shocking True Story*, 2504.

³⁴ Barbas, *Confidential Confidential*, 248

³⁵ Scott, *Shocking True Story*, 2511.

³⁶ Barbas, “The Most Loved,” 178.

³⁷ Barbas, “The Most Loved,” 178.

home in San Francisco – and they weren't letting the spotlight dazzle them. Though the trial had largely come about due to political pressure, Ritzi and Linn were confident that the law was on their side.

One of their first jobs was making the connection between the Meades and *Confidential* clear, given that the Meades were the only defendants present. That connection came, the prosecutors claimed, through a company called Hollywood Research. This was the Los Angeles business that organized and followed up on informants' tips and sent them back to *Confidential*. The magazine had long claimed that Hollywood Research was a completely independent organization – this was part of their strategy of claiming to have no corporate presence in California, thus making it harder for stars to sue them. But the prosecution thought otherwise. And they had good reason to think so, because Hollywood Research had been run by none other than Marjorie Meade.

The prosecution took several steps during their case to prove their point, submitting phone records that showed a huge volume of calls between the *Confidential* office and Hollywood Research Inc office.³⁸ They also brought out a witness, Paul Gregory, who claimed that Marjorie Meade had extorted him over keeping a story out of *Confidential*. Gregory's testimony had provided a dramatic moment - as he testified about Marjorie, she began to sob, and once the jury left the room, she collapsed entirely. Furious, her husband Fred had stalked over to the prosecution table, and, slamming his fist down, yelled at prosecutor Ritzi, "You must want to win this case pretty bad by putting that lying character on the stand!" Ritzi was unphased.³⁹ The defense would later provide records proving that Meade could not have been with Gregory when he claimed she had.⁴⁰

The biggest scores for the prosecution's argument about the California-*Confidential* connection actually came during Fred Meade's own testimony. He revealed that Harrison had been the one to suggest that he and Marjorie get into the gossip business. Harrison had even given them money to get started. On cross, Ritzi got Meade to admit that Marjorie's brother was the company's vice president, and that the supposedly independent Hollywood Research had only ever sold information to two magazines: *Confidential* and its sister magazine *Whisper*.⁴¹

³⁸ "Magazine Opens Defense on Libel," *New York Times*, August 17 1957, <https://timesmachine.nytimes.com/timesmachine/1957/08/17/84753267.html?pageNumber=34>.

³⁹ Barbas, *Confidential Confidential*, 258.

⁴⁰ Douglas O. Linder, "The Confidential Magazine Trial: An Account," *Famous Trials*, UMKC School of Law, 2010, <https://famous-trials.com/confidentialmagazine/2332-home>.

⁴¹ *People of the State of California, plaintiff, vs. Marjorie Ann Meade, Fred S. Meade, Confidential, Inc., Hollywood Research, Inc., Publishers Distributing Corporation, and Whisper, Inc. : reporters' daily transcript / Ward E. McConnell & James E. Vaughn, official reporters* (Volume 10: 1252). Hereafter referred to as "Trial Transcript"

Whatever the exact nature of the relationship between Hollywood Research and *Confidential* – and in truth, prosecutors were right, Hollywood Research had been set up by the magazine – it was clear from the testimony that the Meades were involved in this business up to their necks. And in the course of this business, the Meades and the rest of the *Confidential* crew, the prosecutors claimed, had conspired to commit obscenity and libel. The prosecutors now set out to prove these charges.

First up, the question of obscenity. What is obscene material? That’s a hard question to answer, a question that even the law struggles with, because what makes something obscene is often subjective. In California law at the time, material was obscene if, quote, “it has a substantial tendency to deprave or corrupt its readers by inciting lascivious thoughts or arousing lustful desire.”⁴² In other words, if it turned people on. The magazine had been charged with not just the publication of obscene material but also the conspiracy to publish it, meaning that two or more people had arranged, knowingly, to commit the crime. So now Ritzi and Linn had to prove not only that *Confidential* had published obscene material, but also that they had *knowingly* done so.

The prosecution argued that *Confidential* had done just that. They brought Ronnie Quillan, a sex worker and frequent *Confidential* tipster, to the stand. Quillan testified that Harrison had wanted stories, quote, “primarily dealing with the sexual activities of celebrities,” and that he’d made it clear that, quote “the more lewd and lascivious the story, the more colorful the magazine.”⁴³ But the defense rebutted that notion, claiming that the magazine had always been careful not to cross the line into obscenity. And how had they defined that line? Daniel Ross, one of the magazine’s lawyers, explained that he and Robert Harrison had compared the magazine to other published material. To prove Ross’s point, Crowley, the defense attorney, submitted into evidence a whole stack of books which Ross claimed to have used to learn what the public found acceptable in terms of obscenity. The stack included bestsellers like John Steinbeck’s *East of Eden* and Grace Metalious’s *Peyton Place*.⁴⁴ Whether or not these books made sense as benchmarks for obscenity, and, more importantly, whether or not *Confidential* had ended up publishing obscene content despite these precautions, would be up for the jury to decide.⁴⁵

The next charge was libel. The state had again gone with a conspiracy charge, so they would have to prove two things: that the magazine had published defamatory material, and that it had done so with intent. Because the magazine was charged not with civil libel, but with criminal libel - a little used charge that basically doesn’t exist today- the

⁴² Barbas, “The Most Loved,” 174

⁴³ Trial Transcript, Testimony of Ronnie Quillan, Vol. 4: 376.

⁴⁴ Trial Transcript, Testimony of Daniel Ross, Vol. 8: 932-934, 996-999, 1008-1015.

⁴⁵ Trial Transcript, 1005-1008.

burden of proving whether or not the stories were true fell to the magazine.⁴⁶ Prosecutor Clarence Linn had said, when the charges were announced, that he didn't think the magazine would be able to prove that their stories were true.⁴⁷ Like many people, he seemed to assume that *Confidential* was sloppy in their standards, publishing anything, no matter how questionable, as long as it sounded good.

But in that assumption, Linn was very wrong. Though *Confidential* had started out by publishing made-up stories, once they graduated into the world of Hollywood gossip, Robert Harrison had wanted to make sure that *Confidential* was legally safeguarded. When the magazine decided to move forward with a tip, private investigators were hired to double check the information. "We have to have the exact time, exact date[...]everything documented, just in case," Harrison said.⁴⁸ Then the magazine's lawyers would prepare affidavits for their sources to sign, which read, quote, "I swear that all the events described in the above story are true and that I was a participant in these events."⁴⁹

Based on these affidavits, *Confidential's* writers would then put together a piece. But the legal review wasn't over yet. Lawyers would check over every word of a story, often demanding rewrites or deletions. Their oversight was so intensive, one reporter said, that he once requested a disclaimer that an article was an attorney's work, not his own.⁵⁰ Writers quickly learned that the best approach was to *imply* conclusions, not state them outright, in order to protect themselves from liability. *Confidential*, the testimony suggested, was very, very careful with the truth.

But two of the trial's most eye-catching witnesses would reveal that *Confidential's* fact checking process was not infallible. Hollywood's fears about stars being called by the defense hadn't materialized – defense lawyer Arthur Crowley didn't want to risk being bound by the testimony of witnesses who might perjure themselves to protect their reputations. However, there were some stars who *wanted* to testify. Their names were Maureen O'Hara and Dorothy Dandridge.

O'Hara, an actress, came to court to respond to a March 1957 article titled "It was the Hottest Show in Town When[...]Maureen O'Hara Cuddled in Row 35." The article alleged that O'Hara had had a sexual encounter with a lover in the back row of Grauman's Chinese Theater in Los Angeles. O'Hara vehemently denied it – and she had

⁴⁶ Eric P. Robinson, "Criminal Libel," Free Speech Center at Middle Tennessee State University, last updated February 18 2024, <https://firstamendment.mtsu.edu/article/criminal-libel/>.

⁴⁷ Barbas, *Confidential Confidential*, 235.

⁴⁸ Barbas, "The Most Loved," 135.

⁴⁹ Barbas, "The Most Loved," 136.

⁵⁰ Barbas, *Confidential Confidential*, 106.

proof to back up her denials: on the same day that *Confidential* claimed she was getting busy in Los Angeles, O'Hara's passport showed that she had been in London.⁵¹

Dorothy Dandridge, a singer and actress, also testified. *Confidential* had published an article called "Only the Birds and the Bees Saw What Dorothy Dandridge Did in the Woods," claiming that Dandridge had had sex with a man in the woods near a resort in Lake Tahoe, Nevada.

Now, Dandridge appeared on the stand, stating for the court that what *Confidential* claimed could never have happened. Dandridge was Black, and the man the story alleged she had had sex with was white. During the period in which she had been in Lake Tahoe, Dandridge explained, racial prejudices there had not only precluded her from interacting with white people, but also from walking freely around the resort grounds.⁵² She couldn't have even gone into the woods, let alone met a white man there.

So *Confidential* was not infallible. But had they meant to defame the subjects of their articles? Opinions on that varied - one disgruntled former reporter testified that he had wanted to hurt those he wrote about, while others claimed that they were just reporting facts, like any other news publication.⁵³ The real blame for any damage done, one witness said, lay with the movie studios who did not enforce the moral clauses in their stars' contracts⁵⁴. Again, it would be up to the jury to decide.

In closing arguments, the prosecution doubled down on their themes. They pointed out the familial and financial bonds between *Confidential* and Hollywood Research. They argued that *Confidential* had no motive for exposing scandal other than financial gain. They railed against the low morals of the magazine. "Look at them!" shouted William Ritzi, pointing his finger at Marjorie and Fred Meade. "They are the self-appointed purveyors of filth and gossip in the United States."⁵⁵

For the defense, Crowley fought back. How was *Confidential* so much different, so much worse than any other publication, he asked. What about girlie magazines, with their erotic content? Why wasn't the government pursuing them? Unlike those magazines, Crowley continued, "[*Confidential* is] accepted by the community... [It is] sold over the counter, not under the counter."⁵⁶ And then he brought up another point - one that had

⁵¹ Gladwin Hill, "Counsel Appears for Confidential," *New York Times*, August 20 1957.

<https://timesmachine.nytimes.com/timesmachine/1957/08/20/84754044.html?pageNumber=53>

⁵² Trial Transcript, Testimony of Dorothy Dandridge, Vol. 15: 1907

⁵³ Trial Transcript, Testimony of Howard Rushmore, Vol. 2: 202, and "Laxity of Studios Charged in Trial," *New York Times*, August 26 1957,

<https://timesmachine.nytimes.com/timesmachine/1957/08/27/93215655.html?pageNumber=43>.

⁵⁴ "Laxity of Studios Charged in Trial," *New York Times*.

⁵⁵ Barbas, *Confidential Confidential*, 269.

⁵⁶ Barbas, *Confidential Confidential*, 270.

nearly gotten lost amongst all the discussion of celebrities and gossip and smut – the issue of free speech. “The prosecution wants to indulge in censorship[...],to do your thinking for you[...] Who is the prosecutor[...] to tell you what you can and can’t read?”⁵⁷ he asked. “If you find my clients guilty,” Crowley told the jury, “you will be taking a precious piece of liberty.”⁵⁸

Would this plea be enough? After more than a month of testimony, and nearly 30 witnesses, the trial ended, and the decision was left in the jury’s hands. Soon, it became clear that it would not be a quick deliberation. One day passed, and then another...and then another. The jury returned to the courtroom to ask Judge Walker some clarifying questions. They left again. Things were getting heated amongst the jury. At one point, marshals had to step in - several jurors had allegedly threatened to throw another juror out of the window.⁵⁹ Finally, after a then record-breaking fourteen days of deliberation, the jury returned to the courtroom on October 1st. But they still had no verdict. They were hopelessly stuck, they told Judge Walker, and could not reach a unanimous verdict. Reluctantly, he declared a mistrial. Later, it would emerge that the jurors had voted seven-to-five in favor of conviction on the charge of conspiracy to commit criminal libel, and eight-to-four on conspiracy to publish obscenity.⁶⁰

Now, the government had the option to retry *Confidential*. But did they want to?

ACT IV

Publicly, California Attorney General Pat Brown was quick to declare his desire for a retrial. But privately, he wanted the whole thing to be over and done with, and so did the studios who had first urged him to take the case. The trial had been expensive and exhausting. He wrote to prosecutor Clarence Linn on October 9th and urged him to settle the case with *Confidential*.⁶¹

Publicly, Robert Harrison was thrilled by the trial’s outcome. He threw a lavish dinner to celebrate Arthur Crowley in New York City, and hired a violin player to serenade him.⁶² Privately, Harrison was terrified. The first trial had cost him an estimated 3 and a half

⁵⁷ Barbas, *Confidential Confidential*, 270.

⁵⁸ Barbas, *Confidential Confidential*, 270.

⁵⁹ Theo Wilson, *Headline Justice: Inside the Courtroom—The Country’s Most Controversial Trials* (New York: Basic Books, 1996), 64.

⁶⁰ Scott, *Shocking True Story*, 2746, and Barbas, “Most Loved,” 187.

⁶¹ Barbas, *Confidential Confidential*, 275.

⁶² Scott, *Shocking True Story*, 2756.

million dollars in legal fees in today's money.⁶³ He was worried that another trial would ruin him, and perhaps even land his niece Marjorie in jail.

So when the prosecutors reached out to discuss a deal, Harrison was receptive. The lawyers got to work hammering out terms. Meanwhile, Pat Brown announced his run for governor. He was elected less than a year later, and served two terms.

On November 12th, Judge Burton Noble approved a proposed deal between California and *Confidential*. The terms were simple: the state would drop all charges, except the count of conspiracy to publish obscenity. A judge would determine the magazine's guilt on this charge based on the grand jury and trial transcripts.

In exchange for the reduced charges, *Confidential* agreed to stop publishing exposés about celebrities. They also agreed to take out ads publicly announcing this change in editorial direction.⁶⁴

In December, Judge Noble found *Confidential* and her sister magazine *Whisper* guilty of conspiring to publish obscenity. Each magazine was fined \$5,000.⁶⁵

Where were the studios in all of this? During the trial, now aware that taking the legal route ran the risk of unwelcome exposure, the studios had created another internal anti-scandal magazine committee. Members, including a politically ambitious actor named Ronald Reagan, brainstormed measures to fight *Confidential* and its cronies. In mid-October, they announced a campaign to root out magazine informants. "We will organize effective opposition to fight these peephole writers," said one committee member.⁶⁶

But their efforts proved unnecessary, because though *Confidential* had made it through the trial, they had not come out of the battle unscathed. In the spring of 1958, the magazine revealed its new approach to readers: "We're quitting the area of private affairs for the arena of public affairs," read the announcement, "If wiseacres say that we've retreated from the bedroom, we'll say yes, that's true. From now on we'll search[.]the thoroughfares of the globe for stories of public interest."⁶⁷ These so-called public interest stories, including gems like "What's Wrong with the Oil Burner in the

⁶³ "Retrial in Doubt for Confidential: A Court Hearing This Week May Reveal Decision on Prosecuting Magazine," *New York Times*, October 6 1957, <https://timesmachine.nytimes.com/timesmachine/1957/10/06/91165525.html?pageNumber=60>.

⁶⁴ "Agreement Set on Confidential," *New York Times*, November 8 1957, <https://timesmachine.nytimes.com/timesmachine/1957/11/08/84917010.html?pageNumber=25>.

⁶⁵ "2 Magazines Guilty in Obscenity Case," *New York Times*, December 19 1957, <https://timesmachine.nytimes.com/timesmachine/1957/12/19/85012692.html?pageNumber=19>.

⁶⁶ Barbas, *Confidential Confidential*, 274.

⁶⁷ Barbas, *Confidential Confidential*, 277.

White House Basement”? and “Penicillin Can Save Your Life!,” unsurprisingly failed to interest the public at all.⁶⁸ Circulation numbers collapsed.

After three issues of the “new” *Confidential*, Robert Harrison had had enough. He wanted a magazine that drew attention, that started conversations, and most of all, that made money. Under the restrictions placed by the California deal, *Confidential* could no longer be that magazine. Plus, Harrison was now facing a number of celebrity libel lawsuits. He announced that he was selling the magazine. The new publisher tried to revive interest, but couldn’t find an audience. The magazine steadily lost readership and eventually folded.

Many people saw *Confidential*’s collapse as a victory for American morality. One newspaper editorial put it like this: “The[se] magazines still may not be fit for most living rooms, but it is generally agreed that they are not quite so bad as they were before...The heavy expenses of the trial appear to have made the publishers and editors of *Confidential* and her scandalous sisters more conscious of their responsibilities.”⁶⁹

But other observers were concerned about the potential chilling effects of the trial. The journalist Maurice Zolotow expressed these fears, quote: “governmental power has been used to alter the editorial content of a national magazine...It has been shown that the cost of defending such a charge is so expensive that by merely threatening an indefinite series of prosecutions any publication can be put to death. Regardless of one’s personal opinion of *Confidential*...many may regard the use of the judicial power to muzzle a magazine—any magazine—as an act discouraging freedom and controversy.”⁷⁰

Fortunately, Zolotow’s fears were not immediately realized. In the decade after the *Confidential* trial, the American public and the judicial system seemed to lose their appetite for censorship. Many of the local- and state-level literature review boards, which served as de facto censorship organizations, disbanded, usually due to court rulings against them.⁷¹

But censorship has never fully vanished from our landscape. Recently, the country has seen a rise in community efforts to ban or censor books from public and school libraries. The American Library Association reported in September 2023 that the first eight months of that year contained the highest number of book challenges since it began

⁶⁸ Barbas, *Confidential Confidential*, 277.

⁶⁹ Barbas, “The Most Loved,” 189.

⁷⁰ Barbas, *Confidential Confidential*, 278-279.

⁷¹ Barbas, “The Most Loved,” 190.

recording the data in 2003.⁷² The number of book challenges had already nearly doubled between 2021 and 2022.⁷³

Unlike *Confidential*, which was invested in reinforcing racist, homophobic, and sexist stereotypes, most of the publications being challenged today are those that explore or are supportive of gender, racial, and sexual diversity.⁷⁴ But the question at the heart of all these challenges has remained the same: who chooses what the public gets to read? The American Library Association's Deborah Caldwell-Stone, in a statement about book challenges, said, quote, "To allow a group of people or any individual, no matter how powerful or loud, to become the decision-maker about what books we can read or whether libraries exist, is to place all of our rights and liberties in jeopardy."⁷⁵ Or, as Arthur Crowley put it in the *Confidential* trial, "Who is the prosecutor[...] to tell you what you can and can't read?"⁷⁶

There are some lighter parallels between *Confidential* and today, too: though *Confidential* itself may not have lasted long, it set the tone for nearly all of the celebrity gossip we consume today. Before *Confidential* and other scandal magazines like it, Hollywood stars had highly polished images. *Confidential* revealed the truth behind the glamor. Once the truth was out, there was no going back, and many stars decided that it was better to capitalize on the public's interest in their foibles than try to deny them. In 1964, Robert Harrison was profiled in *Esquire* magazine, and told the reporter, quote, "You couldn't put out a magazine like *Confidential* again...Because movie stars have started writing books about *themselves*!...They tell all! No magazine can compete with that."⁷⁷

Many magazines, of course, have tried. From *Confidential*'s ashes rose publications as varied as the *National Enquirer* and *People* magazine, as well as online gossip sites like *TMZ*, and television programs like *Entertainment Tonight*. Robert Harrison, for all his quirks, knew what news sold, and as I sit here now, telling the story of the hidden forces at work behind his magazine's trial, I can't help but think of some of his words: "I

⁷² "American Library Association Releases Preliminary Data on 2023 Book Challenges," American Library Association, September 19 2023, <https://www.ala.org/news/press-releases/2023/09/american-library-association-releases-preliminary-data-2023-book-challenges>

⁷³ "Book Ban Data," American Library Association, <https://www.ala.org/advocacy/bbooks/book-ban-data>

⁷⁴ Kasey Meehan and Jonathan Friedman, "Banned in the USA: State Laws Supercharge Book Suppression in Schools," *PEN America*, April 20 2023, <https://pen.org/report/banned-in-the-usa-state-laws-supercharge-book-suppression-in-schools/>.

⁷⁵ "American Library Association Releases Preliminary Data on 2023 Book Challenges," American Library Association.

⁷⁶ Barbas, *Confidential Confidential*, 270.

⁷⁷ Barbas, "The Most Loved," 193.

sincerely believe the basic vehicle of the story-behind-the story will be here long after we are all dead.”⁷⁸

That’s the story of California v. *Confidential*. Stay with me after the break to learn more about the tragic rise and fall of one of the magazine’s star writers, who embodied many of the 1950s’ darkest trends.

EPILOGUE

In the spring of 1953, Robert Harrison was looking for a reporter to write a hit piece about one of his loudest critics, the *New York Post* editor James Wechsler. None of his usual freelancers would do - Harrison wanted to highlight Wechsler’s youthful membership in the Young Communist League, and thus wanted a noted anticommunist journalist to write the piece. So he reached out to the source of all things anticommunist: the office of Senator Joe McCarthy.

Three years earlier, McCarthy had made national news by declaring that he had a list of hundreds of Communists working at the State Department. Since then, he had ruthlessly, and often baselessly, accused hundreds more Americans of Communist sympathies, ruining reputations and lives with his hearings in the Senate.

One of the main sources of information for these hearings was a prominent anticommunist journalist named Howard Rushmore, who now worked for McCarthy. When Robert Harrison called McCarthy’s office in the spring of 1953, it was with Rushmore that he wished to be connected.⁷⁹

Rushmore had not always been an anti communist - in fact, he had once been a passionate communist. Born on July 2nd, 1912, in Sheridan, Wyoming, Rushmore grew up in profound poverty. As a young reporter in Missouri, he had been radicalized by witnessing both terrible working conditions and the lynching of a young Black man. Rushmore was desperate for a better world, and admired the conviction with which Communist organizations railed against injustice. By the 1930s, he was prominent in the communist movement, and served as film critic for the major Communist newspaper *The Daily Worker*.

But in 1939, Rushmore had a catastrophic falling out with the Communist Party over his positive review of the film *Gone With The Wind*. Other *Daily Worker* employees accused him of being racist and of sympathizing with the Confederacy. Outraged,

⁷⁸ Scott, *Shocking True Story*, 205.

⁷⁹ Biographical details of Howard Rushmore from Barbas, *Confidential Confidential*, Ch. 4 “Winchell and Rushmore.”

Rushmore left both the paper and the party, and decided to devote himself to destroying Communism in America.

His rise in the anti communist movement was just as swift as it had been in the communist movement. He was hired by the right-wing *Journal-American* newspaper, and became the country's first full-time reporter on the communist movement. By the 1940s, with his anti-communist expertise established, Rushmore became a popular witness for government investigations. He was a key witness in the House Unamerican Activities Committee's hearings on Communism in Hollywood. In 1953, Senator McCarthy made Rushmore his research director. His power seemed limitless.

But under the surface, cracks were appearing. Rushmore was an alcoholic with violent tendencies. He had a prickly personality, a combative nature, and a condescending manner. He also had a tendency to fabricate evidence. Once, he had claimed to have an FBI report showing that 150 government employees in Washington State were Soviet spies. When the FBI asked him to produce this report, he gave them a letter he himself had written.⁸⁰ And he would eventually lose his job with McCarthy after it was revealed that he was using private testimony from the Senate hearings for his articles in the *Journal-American*.

After agreeing to write that first article for *Confidential* on Wechsler, Rushmore had contributed occasionally to the magazine, writing mainly anti-communist exposés like "The Strange Death of J. Robert Oppenheimer's RED Sweetheart." Rushmore thought the tabloid business was beneath him, but when the *Journal-American* fired him in 1954, over personality and pay disputes, he came to *Confidential* full time.

Eventually, Rushmore became *Confidential's* chief editor. His main passion was exposés of stars for Communist leanings or homosexuality. But he chafed against Harrison's requirements that he also report on what Rushmore saw as less consequential celebrity gossip. In turn, Harrison was annoyed by Rushmore's obsessive focus on politics.⁸¹ By 1955, the two men had fallen out, and Rushmore left the magazine that September, under less than amicable terms, though *Confidential* gave him severance pay and promised to assume liability for any libel suits on articles published under his watch.

As he had done with the Communist party, Rushmore became determined to destroy the organization he felt spurned by. He took his severance pay and bought a plane ticket to California, where he met up with an attorney who was representing several celebrities in suits against the magazine. He would eventually testify at Pat Brown's grand jury hearings, where his testimony that, quote, "Some of the stories are true, and some have

⁸⁰ Barbas, *Confidential Confidential*, 42.

⁸¹ Scott, *Shocking True Story*, 1949.

nothing to back them up at all,” would go a long way towards convincing the grand jury to bring an indictment against *Confidential*.⁸²

At the trial, Rushmore testified for the prosecution, continuing his assault on the magazine. When Arthur Crowley pressed Rushmore on cross about his goals in writing for *Confidential*, asking, “Did you have the specific intention yourself to injure someone?,” the lawyer clearly expected a no. But Rushmore shocked Crowley and the courtroom by replying, “I certainly did.”⁸³

Though Rushmore seemingly got what he wanted with the destruction of *Confidential*, the trial also ruined him. This was the second time that he had publicly turned against an organization that employed him, and no one could trust him anymore. Theo Wilson, who reported on the trial for the New York *Daily News*, called Rushmore, quote, “a professional turncoat on the skids.”⁸⁴ He was unemployable, unlikable, and sinking ever deeper into the bottle. When prosecutor Clarence Linn approached Rushmore in the fall of 1957 about testifying in a potential *Confidential* retrial, he found a broken man: “He told me,” Linn said, “that he thought he had been ruined by his activities in the *Confidential* trial.”⁸⁵

Much of Rushmore’s anger ended up being channeled against his wife, Frances, who he physically abused. On January 3rd, 1958, the worst happened. Rushmore killed Frances and then himself in a taxi in New York City.

Robert Harrison received the news in another taxi. On his way home from the airport, the driver asked him if he’d heard the news: that “The publisher of *Confidential* just shot himself.” Harrison, who was actually the publisher of *Confidential*, was baffled.⁸⁶

Howard Rushmore’s story is a sad and sordid one. But his journey also tells us so much about the country he lived in. As a young man, he witnessed terrible things and hoped for a better world. When he could not achieve that, he set out to watch the world burn. He rode the progressive wave of the 1930s, rallied behind nationalist causes in the 1940s, and played on fears during the Red Scare in the 1950s. He recognized the country’s interest in celebrities, and he made money off of it, but it sickened him too. He was a mess of contradictions, a difficult man. And despite his protests that *Confidential* was beneath him, there is probably no better avatar for the magazine’s potent brand of scandal.

⁸² Linder, “The Confidential Magazine Trial: An Account.”

⁸³ Trial Transcript, Testimony of Howard Rushmore, Vol, 2: 202.

⁸⁴ Wilson, *Headline Justice*, 65.

⁸⁵ Barbas, *Confidential Confidential*, 280.

⁸⁶ Scott, *Shocking True Story*, 2798.

Thank you for listening to History on Trial. The main sources for this episode were Samantha Barbas's book *Confidential Confidential: The Inside Story of Hollywood's Notorious Scandal Magazine* and Henry E. Scott's book *Shocking True Story: The Rise and Fall of Confidential, "America's Most Scandalous Scandal Magazine"*. For a full bibliography as well as a transcript of this episode with citations, please visit historyontrialpodcast.com.