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ACLU FOUNDATION

OF SOUTHERN CALIFORNIA

April 9, 1992

Mr. Victor Jokell
Gold Rush Films
6318 Shirley Avenue
Reseda, CA 91335

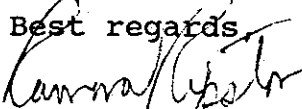
Dear Mr. Jokell:

As promised, we have once again reviewed the allegations in your document and concluded that it would be highly inappropriate for the ACLU Foundation to attempt to advance a civil liberties position in a case as complex and conjectural as this one.

The ACLU's historical role has been one of guardian of those basic individual rights as defined by the Constitution; the organization's redress on behalf of the individual is most consistently against those government agencies -- or organizations that receive public tax money -- which violate the tenets of the Bill of Rights. Traditionally, the ACLU Foundation has not intervened in philosophical or practical disputes within the private sector.

Obviously, many practices of your industry have offended you. And you have provided ample evidence of behavior which is indifferent, even insulting. But in a free market economy, an individual does not necessarily have a constitutional right to be protected from business practices which offend -- or even exclude, under some circumstances.

We wish you the best in your pursuit for personal vindication, and are sorry that the ACLU Foundation has neither the resources nor the mandate to assist you at this time.

Best regards,

Ramona Ripston
Executive Director

Victor Jokell

April 18, 1992

Mr. Norman Lear
Act III Communications
1999 Avenue of the Stars
Suite 500
Los Angeles, CA 90067

Dear Mr. Lear,

As agreed in our telephone conversation last Monday, I enclose the document in question and Ramona Ripston's most recent response for your perusal in your capacity as President of the ACLU Foundation of Southern California.

The enclosed document, in the form of a memorandum to Barry Hirsch, himself a director of ACLU, needs no additional comment from me save that it represents only a portion of the intended text, the balance of which was to elaborate further on the illegal and unethical practices of a number of studios and television networks as well as on other pertinent communal aspects of the entertainment industry. This document, upon completion, was to have been sent to Members of Congress, the Department of Justice and other relevant agencies, as well as to selected media entities, here and abroad, which were aware of and expecting same.

The document, however, even in its present incomplete form, discharges its burden plainly and comprehensibly enough for it to be released as is, as indeed it now will be. The delay of the document's completion and release was only partially due to my reluctance to add (even unwittingly as the result of a purposeful misreading of the text) to the voices of prejudice and hatred which increasingly dominate public discourse. A more compelling provenance for the delay and one with which I had been familiar as Director of Amnesty (the destruction of families of individuals who, for whatever reasons, are denied their fundamental rights and elemental decency, is not an uncommon occurrence) was the

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recent and probably irreversible descent into mental illness of my wife as a direct result of the experiences related in the enclosed document, as were the endangerment of my children and the intended financial ruin occasioned through the blacklisting and theft by some members of our entertainment industry, with the acquiescence of others, in a virulent process which, quite likely, will cast me and my children, in a matter of days I am told, into the ranks of the homeless in the streets of Los Angeles - contemporary society's concentration camp without barbed wire. The purpose of mentioning same is not to elicit fallow sympathy but to unequivocally manifest the grim and contemptible consequences of our industry's moral disjunction. As one Studio Chairman told me late last year upon reading the document: "In any other business, our behavior would be subject to federal felony indictments. Traditionally, however, the industry has always been left alone, has had a dispensation from such concerns." "Please think of consequences," he admonished repeatedly concerning the contemplated publication of the document. I have.

As related in our telephone conversation, I discussed the allegations which were subsequently to form the basis of the enclosed document with Ramona Ripston at her ACLU office last year. As a result of that ninety-minute interview, Ramona suggested that my case be combined with that of Vanessa Redgrave against the Shubert Organization and also volunteered to telephone ICM agent Sam Cohen who, I gathered, represented Redgrave. I demurred from that suggestion, giving as my reasons that the cases were only superficially similar and that such a combined approach might give the erroneous impression that I shared or advocated Redgrave's political eccentricities, which I do not. Instead, I promised to send Ramona the enclosed document, the specificity of which, I recognized early on, would afford ACLU a difficult test of its adherence to mandate when in conflict with the self-interest of its proprietors, the ACLU Board of Directors which is substantially show-business establishment, some of whom are named in the document while others, by implication, are taken to task as participants in and beneficiaries of the industry's corrupt practices.

I was not startled therefore, albeit disappointed, that, upon Ramona's receipt of the document, I was no longer allowed contact with her in spite of numerous efforts to do so. Possibly because of my perseverance, I had the opportunity to briefly discuss the case with Linda Hunt,

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ACLU's Associate Director, who, after almost a year, acknowledged that yes, I deserved an answer to my submission to ACLU.

That answer, Ramona's letter of April 9th, is enclosed. Whatever its initial specious allure, Ramona's letter misrepresents the ACLU mandate and eviscerates the civil rights which the organization is meant to foster and defend. It is, at the very least, disingenuous and, more accurately, a transparent falsehood to claim, as the letter does, that the ACLU concerns itself exclusively with the denial of rights by governmental agencies or by recipients of government grants, a deception which Ira Glasser, ACLU's national Executive Director, was quick to correct in our recent telephone conversation.

More troubling is Ramona's diminution, if not abrogation, of constitutional protections in her interpretation that an individual does not necessarily have recourse to law from business practices which "even exclude, under some circumstances," these timid weasel words all the more shocking in the realization that they refer to the serious allegations of the document. Aside from revealing an unfortunate ignorance, feigned or real, of the many laws and statutes protecting a citizen's right to work, her attempted evasion of the pertinence of the allegations to ACLU's mandate chillingly echoes, almost word for word, the legal rationale advanced earlier this century for the exclusion of Jews from New York City's civil service jobs and, for that matter, from the teaching and student ranks of my own University, Harvard. Abusers of power and privilege, it seems, have always been able to buy legal apologia for their predation. That is what lawyers are for. I had hoped, nonetheless, that the ACLU was not for sale.


In comparison to Ramona's elusion, even Barry Hirsch's straight-from-the-shoulder, callous retreat from legal assistance is to be preferred. "I have a living to earn," he told me recently. That is more like the Hollywood we know: amoral, indifferent, expedient, and proud of it. Little wonder that so much of its product debases and brutalizes our society.

There is no need to respond to my letter or to share with me the spin control which will be afforded Ramona's craven letter. Indeed, a return address might be somewhat of a

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conundrum in a matter of days. What is important is that your request for the material afforded me the opportunity of these several lines which also become part of the record.

Sincerely,

A handwritten signature in cursive script, appearing to read "Victor Jokell".

Victor Jokell

cc: Ramona Ripston
Ira Glasser
Barry Hirsch

Victor Jokell

August 31, 1993

Professor George Gerbner
234 Golf View Road
Ardmore, Pennsylvania 19003

Dear Professor Gerbner,

I much appreciated our telephone conversation a few weeks ago subsequent to the so-called "Leadership Conference" on August 2nd. The subject of our conversation concerned the rarely addressed provenance for violence or sleaze in television programming, namely, the character of the entertainment industry itself, of the owners, executives, and producers who control the industry and whose practices debase and brutalize not only their colleagues but the society they claim to serve.

I particularly valued your comments on the imperative of a nurturing environment for children, indeed for everyone, which you accurately identified as a human right, and which the entertainment industry and advertising interests have corrupted to an extent unimaginable when you began your research in the Sixties. Michael Medved was correct when he observed to me that the so-called leadership of the industry "has abandoned the call to heal the world for a self-destructive nationalism," by which he meant a form of fascism, or gangsterism, if you prefer, lethal to some of us, perilous to the society over which it enjoy virtual hegemony. The enclosed satirical press release, written at the time of the "Leadership Conference," may possibly encapsulate the issue more successfully than the Conference did.

We agreed during our conversation that I would send you corroborative information, and I apologize for the delay but

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I am sure that you will understand that, under conditions of blacklist, when survival is measured one precarious, determinative, meager step at a time, expedition and celerity are not, of necessity, one's dominant concerns.

I enclose, for whatever use or advocacy it might serve, a memorandum, an account of blacklisting, theft, and other perversions in the Hollywood Gulag, for your perusal. Also enclosed is a letter from ACLU's Ramona Ripston which attempts to validate blacklisting in the identical weasel terms used in the Fifties, and my response to Norman Lear, in his capacity as President of the ACLU Foundation, since that letter affords an additional context for the material, evidences further the Sisyphean task of seeking redress as well as the need for an ACLU worthy of the name.

The memorandum is no doubt controversial, even incendiary ("Please think of the consequences," counseled one of the three current or former heads of studios who have confirmed the material's accuracy), but I will release it with little of the reluctance I felt at the time of its writing. Arthur Koesler said it well: "One should either write ruthlessly what one believes to be true, or shut up." At the very least, the document affords what the current debate on the entertainment industry has not afforded to date, a report from the war front, one soldier's hard-earned perspective of the felonious, collusive, and malignant practices at the highest levels of our industry. As is, the memorandum is an incomplete account of what was envisaged, additional sections on Universal, Sony, CBS, ABC, Turner, et al, meant to buttress even more the revelations of the enclosed document, postponed due to the circumstances alluded to in the Lear letter.

Although the document, as is, discharges its objective plainly enough, there is a good deal more to the tale, with new episodes every week, it seems, as the blacklist continues to metastasize, from MCA Universal Motion Picture Chairman Tom Pollock's late night screams and howls over his cellular telephone telling me I will never work again, to former trusted colleague Dennis Stanfill validating the enclosed document prior to his appointment as MGM co-Chairman yet imposing a blacklist during his tenure there, a matter which I am discussing with MGM's concerned owners, Credit Lyonnais, to Tri-Star Chairman Mike Medavoy who, 270 days after reading the document and assuring me he would endeavor to find me some work since he had no doubt that I could do a film for him as well as anybody he had at Tri-Star, so he said, finally responded to my request for

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even a menial job, janitorial work, so that I could feed my children, with the contemptible excuse that there were inordinate demands on his Tri-Star budget, to Sony formally and obscenely joining in recently, describing my wife's violent suicide in March, an immediate, despairing consequence of the blacklist, as "bull shit" and warning that "protest will be considered harassment subject to police action." Nor does this brief list exhaust the incidents by any means nor include the many who, in ignoring or condoning these practices, must assume their share of responsibility for the consequences. Although the community may not be able to tell Schopenhauer from Larry, Curly, and Moe, it exemplifies nonetheless his terrible warning: "In order to destroy a man, it is only necessary to give his work the character of uselessness."

My intent for the next few weeks is to complete as comprehensive a document as I can concerning the available remedies under the law, as they apply to anti-trust, civil rights, and other violations, and the need for additional and specific legislation concerning ownership within the entertainment and communications industries, and to submit same with the enclosed material to the leadership of Justice, EEOC, FTC, FCC, Senate Judiciary Committee, leadership which is by now well primed and seemingly eager for the documentation, as are several Senators and Representatives.

Borrowing, for the purpose, an amusing line from HBO's Larry Sanders Show, "Unethical? Don't you start pulling at that thread, the whole world will unravel," the enclosed is one thread out of many concerning a malignant situation whose overriding significance is as a political issue, the concentration of ownership within the entertainment and communications industries, and the virtually hegemonic influence over the national character and impulse by a very few individuals who have arrogated to themselves dispensation from common decency, social responsibility, and the law, and who represent a discernible threat to the country's well-being and individual freedom.

A few months ago, the actor Robert Duvall, perhaps foolhardily, described Hollywood as a "very caste-oriented system... It's a very segregated, undemocratic town and they preach liberal politics." About the same time, then Los Angeles Mayor Bradley cautioned in reaction to Republican criticism of the entertainment industry: "It's dumb. If anyone can come back at you and in every way, it is Hollywood." Both statements are essentially correct but do

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not begin to encompass the level of virulence of a nepotism gone mad, of a greed gone rabid, which, in extremis, is willing to defend the indefensible with the loathsome, inexpiable calumny of anti-Semitism, and led my wife to seek the oblivion afforded by an onrushing train, in despair of ever finding in this community even a vestigial sense of common decency and justice which might somehow reclaim the theft of childhood from our three children, might somehow reclaim the imposed degradation on her family. With apologies to James Joyce, Hollywood is a nightmare from which I am trying to awake, from which we all, as a nation, should endeavor to awake.

Best regards.

Sincerely,

A handwritten signature in black ink, appearing to read "Victor Jokell". The signature is written in a cursive, flowing style with some loops and flourishes.

Victor Jokell

enc.