

## Absence of malice

ROSEN - Are you aware the committee's interested in the political career of Mr Quinn?

GALLAGHER - So? That's okay with me.

ROSEN - Let me point out that these checks were drawn immediately before - and immediately after your meeting with Mr Quinn. What do you make of that?

GALLAGHER - I don't know. What do you make of it?

ROSEN - You're trying to say you just got an urge to contribute to his committee before you met with him and then right after?

GALLAGHER - Yeah. I came into some extra money a couple of days later.

ROSEN - You made these contributions anonymously. Why?

GALLAGHER - I wanted them to be anonymous.

ROSEN - I'll bet. Tell us why.

GALLAGHER - I didn't want people asking for contributions!

ROSEN - You made them anonymously because you were paying off.

GALLAGHER - Prove it.

ROSEN - If you in fact told Mr Quinn that you would act as a government informant...

GALLAGHER - No. I said that I'd see what I could find out.

ROSEN - What are you finding out?

GALLAGHER - Nothing. Nobody wants to talk about it.

QUINN - Son of a bitch! You're trying to frame me. He set me up! He arranged the meetings, he got me on his answering machine, he's got the cancelled checks. He's trying to frame me!

ROSEN - What's his motive?

QUINN - To get even, you dummy.

WELLS - You two guys ought to get married. Mr Gallagher, are you that smart?

QUINN - You're damn right he is.

WELLS - Miss Carter... you seem to know a lot about what's going on around here; I'd like to ask you where these stories came from.

CARTER'S LAWYER - Objection: my client is not...

WELLS - Save your objections, counsellor, this ain't a courtroom. Now, Miss Carter, this story about Mr Gallagher, the first one...

CARTER - I had reason to believe the strike force was investigating Mr Gallagher. I confirmed it.

WELLS - How did you confirm it?

LAWYER - Objection. You are asking...

CARTER - Wait a minute. I want to answer this. I read the file.

WELLS - Did you, now? How did you come to read the file?

CARTER - I was talking with Mr Rosen. It was lying on his desk. When he left his office, I read it.

WELLS - Did you ask Mr Rosen what, in the name of Christ, he was doing leaving the file on his desk for you to read it?

CARTER - He intended me to read it.

WELLS - Why would that be, Miss Carter?

CARTER - So that I would write a story that made Mr Gallagher look bad.

WELLS - This story. Did Mr Rosen give you that one too?

CARTER - No.

WELLS - Go ahead, Miss Carter.

CARTER - I'm sorry, I can't tell you.

WELLS - I think I know where we're headed here. Before we get there, I want to say something to you. You know and I know that we can't tell you what to print or what not to. We hope you people in the press will act responsibly, but when you don't, there ain't a lot we can do about it. We can't have people going around leaking stuff for their own reasons. It ain't legal. And worse than that, by God, it ain't right. I can't stop you, but I can stop them. Where do the stories come from?

LAWYER - Under the first amendment my client is not required to reveal her sources...

WELLS - That's a lot of horse pucky. The first amendment doesn't say that. The privilege does not exist.

WELLS - Now, Miss Carter, do you understand I can ask you these questions in front of a grand jury?

CARTER - Yes.

WELLS - And if you don't answer, you can go to jail.

CARTER - I know it's possible, yes.

WELLS - It's more than possible, Miss Carter. It's damn likely. I ain't anxious to be locking up reporters, but I'll tell you something, young lady. I don't like what's going on.

CARTER - May I say something, please?

WELLS - Yes.

CARTER - I don't want to go to jail. But this has got to stop some place. A lot of damage has been done. I'm responsible for a lot of it. I know that. I don't know. I keep thinking there must be some rules to tell me what I'm supposed to do now. But... maybe not. The person who told me about the Quinn investigation, they were not leaking it. They did not intend for it to be printed. I did that on my own. I'm scared to death of going to jail, but if I tell you who he was, then you'll have to do something about it and someone else will be hurt. It's really very simple. I can hurt someone or not hurt someone. No rules. Just... me. I can't tell you.

WELLS - Mr Gallagher... I seem to want to ask

if you set all this up. If I do, you ain't gonna tell me, are you? No. I'll tell you something, you're a smart fella. Don't get too smart.

I'm pretty smart myself. Everybody in the room is smart.

GALLAGHER - Everybody in the room is smart. Everybody's just doing their job. And Teresa Perrone's dead. Who do I see about that?

WELLS - Ain't nobody to see. I wish there was. You're excused now, sir. Miss Carter, you can go too. Later today I'll have a statement for the media. You ain't gonna like it. It's gonna say Mr Quinn may not be the smartest DA we've had, but there's no evidence suspecting him of anything. And that you were suckered by Mr Rosen here who has some peculiar ideas on how to do his job. It's gonna say it was premature and real wrong that these investigations ever got reported in the first place. You don't have to print it, but it's gonna wind up in the paper. Angeline, you and Elving go on ahead. Robert, you can go too, I'll be along in a minute.

You're in a bad place, boy. I could talk myself blue clearing you, but wouldn't nobody believe me. You got a hell of a publicity problem.

QUINN - I could sue.

WELLS - Who? You can't win. Absent malice. What can you prove?

QUINN - You saying I should resign?

WELLS - The president appointed you. I ain't the one to be kicking you out. But I'd suggest it.

QUINN - I'll talk to you later.

ROSEN - That's really too bad. I'm sorry.

WELLS - He's a nice guy. He just forgot about the rules. What will you do after government service?

ROSEN - I'm not quitting.

WELLS - You ain't no presidential appointee. The one that hired you was me. You got thirty days.