



Defamation 9: Problems

Torts
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Defamation Problems



News Channel 77

“Police say Patrick Pandlinosky murdered his girlfriend in her sleep.”
(Police did say this. But Patrick didn’t murder anyone.)

Successful defamation claim?

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Successful defamation claim?

Probably not. Republishing can be defamation. But this will almost certainly fall under the fair-reporting privilege.

News Channel 77

“Neighbors say an elderly woman in this neighborhood has been capturing pets and poisoning them.”
(Neighbors did say this. But no one has been poisoning pets. This statement is said over the image of the home of 85-year-old retiree Patricia, the only senior resident within a mile radius.)

Successful defamation claim?

Yes—it sounds promising. Republishing can be defamation. And this would seem to identify Patricia. But we’ll need to be in a jurisdiction where TV is libel, or where this is a crime of moral turpitude, or else she’ll need special damages.