

## Judge's order stifles a basic right

Wednesday, May 7, 2008 1:54 AM EDT

*The First Amendment to the United States Constitution:*

*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.*

And the government is finally running out of patience.

So it's doing what government always does when it can't take care of a pesky challenger through rational discussion, negotiation or litigation. It's taking out its giant government sledgehammer and going for the kill.

And in doing so, it's not only interfering with Mr. Schulz's exercise of his right to free speech, but it's punishing anyone else for simply listening to that free speech.

Every citizen should be mad as hell about this unwarranted invasion of our rights.

Mr. Schulz's latest tilt against the government windmill comes as he defends his right to distribute information on why he believes the federal government has no right to withhold taxes from our paychecks prior to our taxes being due.

His "tax termination package" -- which he distributed for free at a variety of events around the country and also posted on his Web site -- contains information that he believes businesses could use to legally stop the practice.

He wasn't advocating a criminal act. He wasn't telling anyone not to pay their taxes. He was just saying that he believes the government can't take your money before it's due, and he encouraged people to press their employers to find the law that says it can.

And guess what? He's allowed to say that.

The distribution of any information, even false information, is protected by the Constitution. Otherwise, 90 percent of the people who post on the Internet would be in federal prison right now.



Erin Reid Coker File Photo -  
[coker@poststar.com](mailto:coker@poststar.com)

To order copies of staff-produced  
photos from The Post-Star, please  
visit <http://reprints.poststar.com/>.

As American citizens, we are free to say whatever stupid, wrong, ill-informed, offensive thing we want. We're free to encourage others to join us. And the government has to let us.

It's called Freedom of Speech, and it's right there in the very first amendment to the Constitution.

But when it comes to speaking out about taxes, the government's first reaction is to stuff the Constitution in your mouth and wrap your face with duct tape.

And that's just what the federal government, through U.S. District Court Judge Thomas McAvoy, is trying to do. Judge McAvoy has taken the unusual step of trying to shut off Mr. Schulz's information campaign by forcing him to provide the names, addresses, phone numbers and Social Security numbers of anyone who might have gotten this information.

This obtrusive action is designed not only to shut up Schulz, but also to make others think twice about even reading what he has to say.

The last thing any taxpayer in this country wants is to get themselves on the Internal Revenue Service's radar, much less on its bad side.

If you thought the government could subpoena your personal information just for reading something someone else wrote, how likely would you be to even touch it?

To taxpayers, the message is: "If you listen to this guy, we'll get you. We know where you live. We've got your Social Security number. And when we find out you didn't really donate \$50 to save the whales as you claimed on your last tax return, you'll think a freight train ran over you."

To Mr. Schulz, the message is: "Distribute this information, and your followers will be made afraid to listen to you."

Without an audience, Mr. Schulz is merely another loud mouth in a nice suit that the government can easily ignore.

The government will try to justify its action by saying Mr. Schulz was selling his information, thereby making his packet "commercial speech," subject to regulation against false claims.

But that law is designed to protect consumers from being sold miracle drugs and crappy cars.

Even if Mr. Schulz accepted donations for his information packet (which he says he didn't), then he's still only selling information.

People are free to ignore or act on that information as they see fit -- just like anything you can look up on the Internet.

What we have here is a government that's going too far to shut down a citizen's right to exercise his right to free speech.

If they succeed in silencing people who speak out against their government, and succeed in threatening anyone just for listening, then who do you think they'll go after next?

*Local editorials represent the opinion of the Post-Star editorial board, which consists of Publisher Rona Rahlf, Editor Ken Tingley, Editorial Page Editor Mark Mahoney and citizen representative Michael Cruz.*

Bob Schulz has been a big pain in the government's butt for over 30 years.

**Free free credit score with All 3 Scores**

Free 3-bureau free credit score - includes Transunion, Equifax, Experian.

[FreeCreditReportsInstantly.com](http://FreeCreditReportsInstantly.com)

**Refinance \$300,000 for Only \$965/Month**

\$300,000 Mortgage for only \$965/month. Save \$1,000's - No obligation.

[www.HomeLoanHelpLine.com](http://www.HomeLoanHelpLine.com)

**Free Annual Credit Reports**

View Your Free Credit Report Online.

[www.FreeReportCredit.com](http://www.FreeReportCredit.com)

Ads by Yahoo!