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## Santilli Prosecution a Tyrannical Assault on Free Speech and Press

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by David Codrea , February 11, 2016



Love him or hate him, if the government gets away with its prosecution of Pete Santilli, freedom of expression and freedom of the press will be effectively quashed. (The Pete Santilli Show)

“Is Pete Santilli a free speech champion or just another loud mouth?” Kevin Harden of [the Portland Tribune](#) asks. “The 50-year-old Santilli was arrested Jan. 26 in Burns for what federal prosecutors say was his part in a conspiracy of threats and intimidation preventing federal employees from doing their jobs during the five-week occupation of the Malheur National Wildlife Refuge.”

The answer to Harden’s question is that it doesn’t matter. The First Amendment is not there to ensure only inoffensive and approved speech is lawful. And Santilli’s case raises a concern of equal importance: the government presuming to define who is a “legitimate” reporter/commentator.

I’ve been sensitive to that distinction ever since I was [threatened with arrest](#) for asking a question at an anti-gun public media event. Since that time, appalled by the outrageous state of today’s “agenda press,” with routine sins of omission, commission, ignorance, and flat-out lies, I’ve logged untold posts and articles on a phenomenon I started out calling “[Authorized Journalists](#),” but in many cases more appropriately refer to as “[Fourth Estate Fifth Columnists](#).”

Jealous of losing their role as information gatekeepers — and thus as controllers of the narrative the public hears — “progressive” defenders of returning to the old ways (every day for them is Opposite Day) — have gone so far as to propose [an internet tax](#) “to limit the avalanche [of alternative news sources, and] make the technologies that overproduce information more expensive and less widespread.”

That’s desperation. And funny thing about “social justice” types — when it’s [their rice bowls](#) going empty, they suddenly find a capitalist streak.

Grousing by “[real reporters](#)” aside, the actual threat comes from government, and I’ve experienced that firsthand as well. Back when I was reporting on ATF harassment of a gun shop, accusations were leveled that reporting on the doings of agents and inspectors posed “[a credible threat](#),” and amounted to “[harassment and intimidation](#).” ATF actually [complained to the judge](#) ruling on the case that a citizen taking photographs of their activities, and blogs reporting on them, were not journalists, attempting to get a ruling to shut down scrutiny.

When that didn’t work, a [U.S. Marshal sent a warning to me](#) via the gun shop owner that my reporting was prosecutable as a felony under the Court Security Improvement Act of 2007.

This is very similar to the legal crap the feds are throwing at those they arrested in connection with the Malheur occupation, which the always-excellent [William N. Grigg](#) provides background perspective for:

The federal statute under which Ammon Bundy and six other members of the CCF have been charged, 18 USC section 372, offers no protection whatsoever to the persons and property of U.S. citizens. That measure, enacted in 1861, is designed to protect “officers” of the federal government (including administrative personnel and other bureaucrats) as they prey upon the Regime’s subjects. It originally targeted actual and suspected sympathizers with the Confederacy, which in practice meant anybody who respected and defended the right of states to withdraw from the Union, even if motivated by an ignoble cause.

I’ve also gone beyond reporting and writing opinion pieces in my capacity as an advocate for the right to keep and bear arms. I’ve routinely [encouraged civil disobedience](#) against unjust edicts. And [I’ve defied those edicts](#) and risked arrest on occasion myself.

Now think what would have happened to the public cognizance of Fast and Furious “gunwalking” if mere bloggers had been arrested for “preventing federal employees” from doing their jobs of suppressing information, stonewalling and lying. Go ahead and [count/look at all the reports](#) Mike Vanderboegh and I had filed before big boy media said word one about it.

That Santilli is facing any charges, when he was clearly acting within his rights as a citizen and in the capacity of an independent journalist — bringing original information the mainstream press could not about a vital public interest story — is an Intolerable Act against the First Amendment. That’s not gone unnoticed by others, even those opposed to much of what the Patriot movement stands for.

“While many people might disagree with statements made by those involved in the Malheur takeover, Americans have a fundamental right to freedom of speech,” the [ACLU of Oregon](#) declared in a position statement on charges against Santilli. “We can all agree that we should not hold members of the media or protesters in jail without bail simply because they have shocking or abhorrent views. These are principles that we must stand by, even when we disagree with the message of the speaker.”

Anyone familiar with his work knows Santilli can be a polarizing figure, and that includes within the liberty movement. I’ve never met the guy or even to my recollection corresponded with him, and hold no special personal connection to him or to the way he does things. In the interests of full disclosure, I’m on good terms with several people who can’t stand him. I’ll be surprised if we don’t see the same divide in comments, with some condemning him and others rushing to his defense.

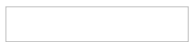
That’s the price of putting your name and your beliefs out there. And it’s irrelevant.

We don’t have to agree with the guy, we don’t have to approve of his way of doing or saying things, we don’t have to believe him, and we don’t have to like him. But if he’s guilty, I’m guilty, and so are a lot of people I know. By going after him, the government has declared war on freedom of expression and freedom of the press, and war on citizen oversight of government activities. It has set itself up as a totalitarian ministry of information and the final arbiter of what is acceptable, with all the potential for great evil that implies.

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David Codrea blogs at The War on Guns: Notes from the Resistance (WarOnGuns.com), and is a field editor/columnist for GUNS Magazine. Named “Journalist of the Year” in 2011 by the Second Amendment Foundation for his groundbreaking work on the “Fast and Furious” ATF “gunwalking” scandal, he is a frequent event speaker and guest on national radio and television programs.