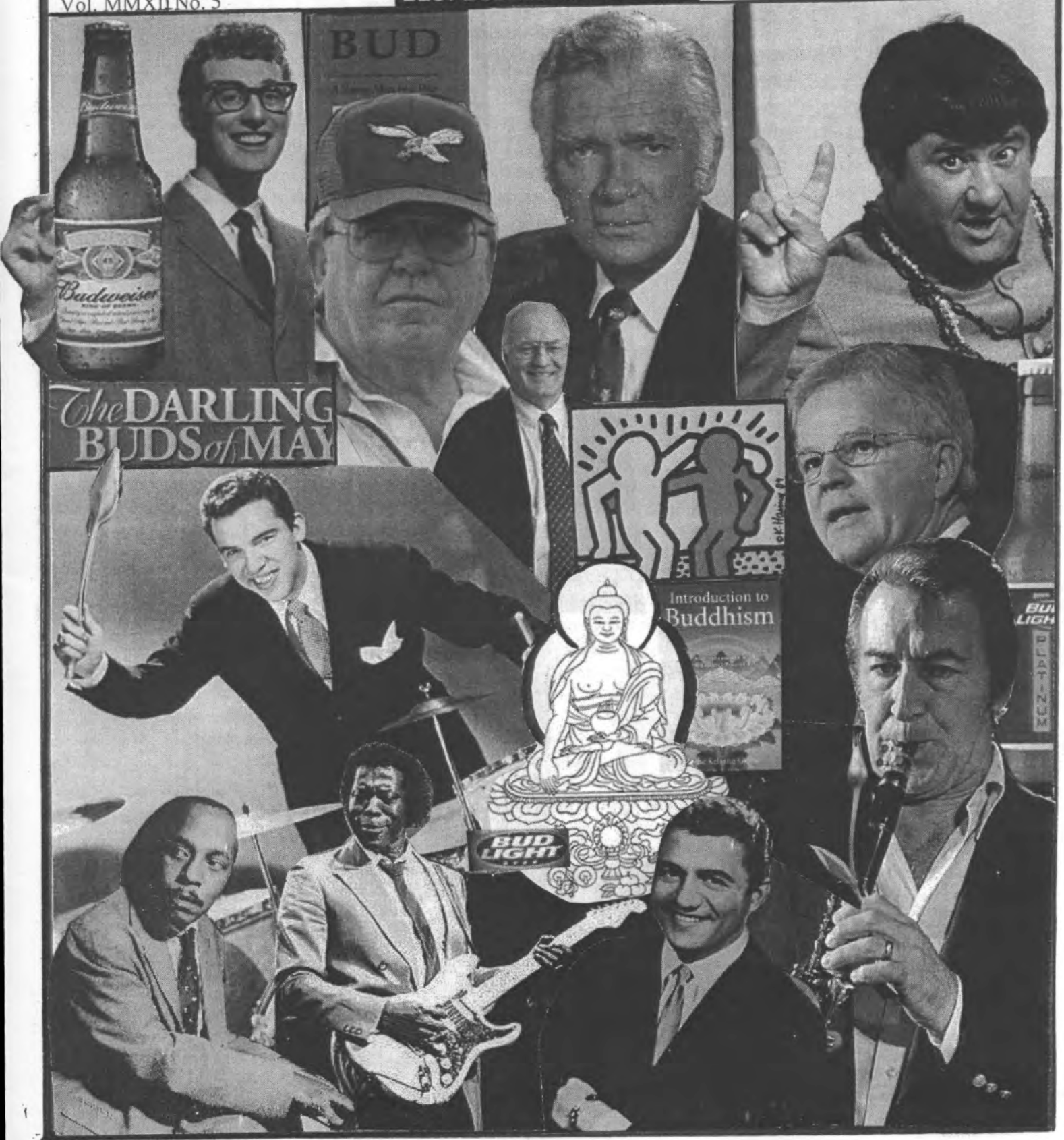


American Board of Criminal Lawyers
THE ROUNDTABLE

Vol. MMXI No. 5

BEST BUDDIES CHALLENGE

May 2012



The DARLING BUDDS of MAY



Introduction to Buddhism

BUD LIGHT

BUD LIGHT PLATINUM

The Detroit News

APRIL 3, 2012

Editorial: Free speech prevails in Hutaree case

Militia acquittals a testament to U.S. protection of First Amendment rights, even when speech seems hard to defend

© BY THE DETROIT NEWS
2012

(Thanks to the brilliant defense provided by ABCL Fellows JIM THOMAS + BILL SWOR)

It likely surprised a lot of people when members of the Hutaree militia group were acquitted by a federal judge in Detroit. At its heart, this case serves as a powerful example of how the United States protects speech, no matter how distasteful it may be.

Following six weeks of testimony in a widely reported terror case, U.S. District Judge Victoria Roberts acquitted seven of the militia members on charges that included seditious conspiracy and conspiracy to use weapons of mass destruction. The judge said the government's case revolved too heavily around circumstantial evidence. In other words, all the militia's talk wasn't backed by action or a specific enough plan.

The members could have faced life in prison had they been found guilty of these charges. Two of the members still faced weapons charges for possession of a machine gun.

Prosecutors accused militia members of plotting to kill police officers and an uprising against the government. The FBI infiltrated the Lenawee County group before making the arrests two years ago. The government had secretly recorded conversations highlighting how the Hutaree militia wanted to kill a local law enforcement official and then attack the subsequent funeral that would attract other officers from across the country.

The prosecution's case unraveled as it didn't have enough evidence to prove beyond a reasonable doubt these individuals had actually conspired against the government. They were simply "blowing off steam," according to one of the defense attorneys.

It's true that most of us don't sit around our living rooms chit-chatting about killing police officers. But the strong constitutional protections of the First Amendment shield an individual's right to say such things — no matter how hateful or awful, says Robert Sedler, professor of law at Wayne State University Law School. "People can say all kinds of bad things," he says. For instance, the U.S. Supreme Court ruled last year that members of the Westboro Baptist Church were exercising their First Amendment rights during the group's protests at military funerals. Even though their actions caused many families anger and distress, they had every right to express their anti-gay agenda.

America stands apart in the tough protections it provides for freedom of speech and offers more tolerance for speech than other democratic nations, Sedler says.

There is a line, of course. A few illegal acts that can be carried out by words include bribery, discrimination or solicitation of a crime. Conspiracy to commit a crime is also unprotected speech — but it's tough to prove. Kevin Saunders, professor of law at Michigan State University and an expert in constitutional law, points out that speech presenting a clear and present danger — such as speech likely to incite imminent lawless action — is not protected either.

The majority of the militia members have spent the past two years in jail, including a young man who was 19 when arrested. No doubt they will all think more about their actions going forward.

Hutaree militia leader David Stone Sr. refers to himself as a "true American patriot." That's debatable. But just because an individual or group participates in speech society may deem outrageous or even crazy, that doesn't make it illegal. The judge rightly upheld the First Amendment in this case.

NEWS IN BRIEF

Area Man Finally Sees Enough Images Of Bare Breasts For Entire Lifetime

■ 98,344th Pair Leaves 32-Year-Old Man Entirely Sated

BOISE, ID—With what he described as “a deep sense of satisfaction,” local man David Glean closed his laptop Tuesday after viewing his 98,344th pair of naked breasts, telling reporters he had seen enough bare bosoms in his 32 years to last him the rest of his life. “Well, I guess that’s that,” said Glean, letting out a contented sigh more than two decades in the making. “As soon as I locked eyes on that last set, something clicked in my head and I said to myself, ‘Dave, if you don’t see another pair of nude breasts again, you’ll be fine.’ I had never felt that way before.” Glean estimated he could still watch another 1,446 ejaculated-upon female faces and at least three more Filipino dwarf fistings.

Report: Syria Running Dangerously Low On Civilians To Oppress

DAMASCUS—Noting that without the brutal subjugation of its masses a totalitarian state is effectively meaningless, Syrian officials announced this week that the country is experiencing a severe shortage of civilians to tyrannize. “After a year of continuously putting down popular uprisings with increasingly extreme violence, the regime is now running very low on people to crush beneath its iron fist,” said Prime Minister Adel Safar, later adding that the government would need to seriously reevaluate its approach to indiscriminate slaugh-

ter, with an eye toward rebuilding a healthy population of oppressible citizens. “Effective immediately, we will focus more on murdering the sick and the old, while placing reasonable limits on the execution of pregnant women in the streets.” The Syrian government is also reportedly looking into the possibility of importing roughly 50,000 people from Iran, which has long enjoyed a surplus of citizens to brutalize.

Area Man Thinks It’s Nice They Didn’t Put The Prettiest Girl Scouts On The Cookie Box

STAMFORD, CT—Local CPA Adam Hober told reporters Wednesday he was pleased to see the Girl Scouts of America had chosen not to feature the most conventionally attractive girls on boxes of their trademark cookies. “They could have put the prettiest girls on the there and maybe sold some more cookies, but they didn’t, and I really appreciate that,” Hober said while munching on a “Samoa”-style baked treat. “It’s just nice to see what an inclusive organization they are, and it’s really great they gave those Plain Janes a chance to shine.” Mr. Hober later added that the wheelchair-bound Hispanic Girl Scout on the side of the box was perhaps a bit much.

Study Reveals Majority Of Suicides Occur While Trying To Put Fitted Sheet On Bed

BALTIMORE—According to a study published Monday in *Psychological Bulletin*, more than 83 percent of suicides take place when an individual is faced with the task of putting a fitted sheet onto a mattress. “In the majority of these cases, people end their lives after trying in vain to get the short side of the sheet onto the long side of the bed, and

at least one-third kill themselves after struggling with the final corner only to realize it is their own body weight preventing the sheet from stretching far enough,” said Johns Hopkins University psychologist Dr. Khalil Mazarhi, adding that suicide victims are usually discovered in close proximity to fitted sheets that are either partially covering a mattress or balled up in a corner of the room. “The tragic irony of this phenomenon is that a significant number of people will actually use the sheet to hang themselves.” The study concludes with a recommendation that, for personal safety, fitted sheets only be handled when a second person is present.

Time Traveler From The Year 1998 Warns Nation Not To Elect Newt Gingrich

WASHINGTON—Saying he came bearing an important message from the past, a stranger from the year 1998 appeared on the Capitol steps Thursday and urged voters not to elect Newt Gingrich president in 2012. “In the late 20th century, Newt Gingrich is a complete disgrace!” said the time-traveling man, warning Americans that 14 years in the not-so-distant past, Gingrich becomes the only speaker in the history of the House of Representatives to be found guilty on ethics charges, and is later forced to resign. “In my time, he shuts down the federal government for 28 days because his feelings get hurt over having to sit at the back of Air Force One. Gingrich gets our president impeached for lying about marital infidelities when, at the same time, Gingrich himself is engaged in his own extramarital affairs. And for God’s sake, he divorced his first wife after she was diagnosed with cancer. Won’t anyone listen to me!?” When asked about Donald Trump, the time-traveler said he had no information on the man, as no one from 1998 cared about a “washed-up fake millionaire.”

Nothing To Lose But Our Illusions

an interview with DAVID EDWARDS

David Edwards: It’s not enough to just sit there and have compassionate thoughts. Your compassionate thoughts need to be reflected in what you do. How can you aspire to compassion and yet work for an arms manufacturer? You need to help other people.

Derrick Jensen: What do you say to people who feel they are busy struggling to get by and don’t have time to help others?

Edwards: Once you start to see through the myth of status, possessions, and unlimited consumption as a path to happiness, you’ll find that you have all kinds of freedom and time. It’s like a deal you can make with the universe: *I’ll give up greed for freedom.* Then you can start putting your time to good use.

Jensen: And if someone says, “But the problems are so big, what can one person do?”

Edwards: Once you realize that helping others is also helping yourself, the size of the overall problems becomes irrelevant. You’re not a one-man or one-woman army out to save the whole world. You help simply because it does good and it feels good.



I WANT YOU
 TO GIVE ME A FUTURE NOT FUCKED UP BY ALL YOUR CRAZY BULLSHIT ABOUT HOW MORAL AND JUST THE UNITED STATES OF AMERICA IS WHEN IT INVADES AND OCCUPIES OTHER COUNTRIES AND HOW HEROIC AND BRAVE TO BE TO KILL FOR YOU BECAUSE YOU’RE TOO FUCKING LAZY AND BLOATED AND UNIMAGINATIVE TO PREFER PEACE TO HEGEMONY AND TERRORISM

First they came for the socialists, and I did not speak out—
 because I was not a socialist.
 Then they came for the trade unionists, and I did not speak out—
 because I was not a trade unionist.
 Then they came for the Jews, and I did not speak out—
 because I was not a Jew.
 Then they came for me—and there was no one left to speak for me.

—Martin Niemöller

Officers 2012

President

Richard Tegtmeier, Colorado Springs,



President-Elect

Bruce Maloy, Atlanta, GA



Vice-Presidents

Jerome J. Froelich, Atlanta, GA

Mack K. Martin, Oklahoma City, OK

Ronald I. Meshbesh, Minneapolis, MN

John H. Rion, Dayton, OH

Peter B. Wold, Minneapolis, MN

Secretary

Patrick D. Mika, Colorado Springs, CO

Treasurer

James R. Homola, Fresno, CA



Immediate Past-President

Gerald S. Gold, Cleveland, OH

The RoundTable

Steve LaCheen, Editor
1429 Walnut Street, Suite 1301
Philadelphia, PA 19102

Board of Governors 2012

Blair Berk, Los Angeles, CA

Leonard M. Chesler, Denver, CO

Gerald Handley, Kansas City, MO

Charles L. Hawkins, Minneapolis,

James K. Jenkins, Atlanta, GA

John J. Ossick, Jr., Kingsland, GA

Michael Pancer, San Diego, CA

Randy Schaffer, Houston, TX

Janet Sherman, Santa Monica, CA

Roger M. Synenberg, Cleveland, OH

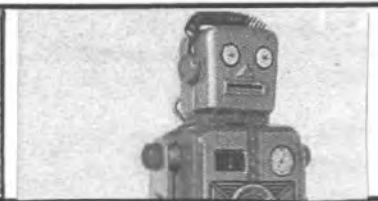
James H. Voyles, Indianapolis, IN



The RoundTable

Steve LaCheen, Editor

Rita Bognanni, Staff



Future Meetings

June 22-24, 2012: Broadmoor Resort, Colorado Springs

October 4-6, 2012: St. Regis, Dana Point, CA

The Complete Works of William Shakespeare

(abridged)



COAST-LOCAL

Alabama's chief justice race getting crowded

The list of write-in candidates for chief justice of the Alabama Supreme Court keeps growing.

Mobile attorney **Ginger Poynter** told the *Skinny* last week that she intends to seek the office as a write-in candidate.

A second Mobile attorney, **Melinda Lee Maddox**, also said she's joining the race as a write-in candidate against Republican **Roy Moore** and Democrat **Harry Lyon**.

Maddox is one of the three lawyers who successfully sued Moore, a former chief justice, over the Ten Commandments monument he placed in the lobby of the state judicial building in 2001.

Maddox, 46, said she was hesitant to run against Moore because of her experience during the lawsuit. She said her law practice was boycotted, her house was shot, her car was vandalized and dead squirrels were hung from the trees in her yard by people who opposed her.

"Hopefully, all parties will stay on point and not start throwing mud," said Maddox. "I am going to run a clean campaign and talk about what I can bring to the table as the next chief justice — I don't think it's my job to point out the flaws in the other candidates."

The Political Skinny

Birmingham attorney **Scott Gilliland** told the *Skinny* he's also being encouraged to run as a write-in candidate for chief justice.

Gilliland, a Democrat, made an unsuccessful bid in 2010 to unseat Republican Secretary of State **Beth Chapman**. Gilliland said he is "exploring the idea" of a write-in bid because of his concerns about Roy Moore and Harry Lyon.

"I cannot and will not support the Democratic nominee," Gilliland said. "I believe his election to chief justice would be as devastating to our state as the historic removal of the leader of our high court from office for his refusal to uphold the rule of law."

'The Supreme' Deen?

Yet another Mobile lawyer said he's running as a write-in candidate for chief justice — with tongue planted firmly in cheek.

Jeff Deen, known for his sense of humor as much as for his courtroom skills, announced that his candidacy had been endorsed by the "Dixey Bar Association" — a name recognizable to Mobilians as a sand bar off the southeast end of Dauphin Island.

Deen, one of Mobile's top defense lawyers, listed three reasons why he is a legitimate candidate:

1. I have practiced law for more than 30 years.
2. I took a Constitutional Law course in law school.
3. My full name (Thomas Jefferson Deen) is well suited for this particular position."

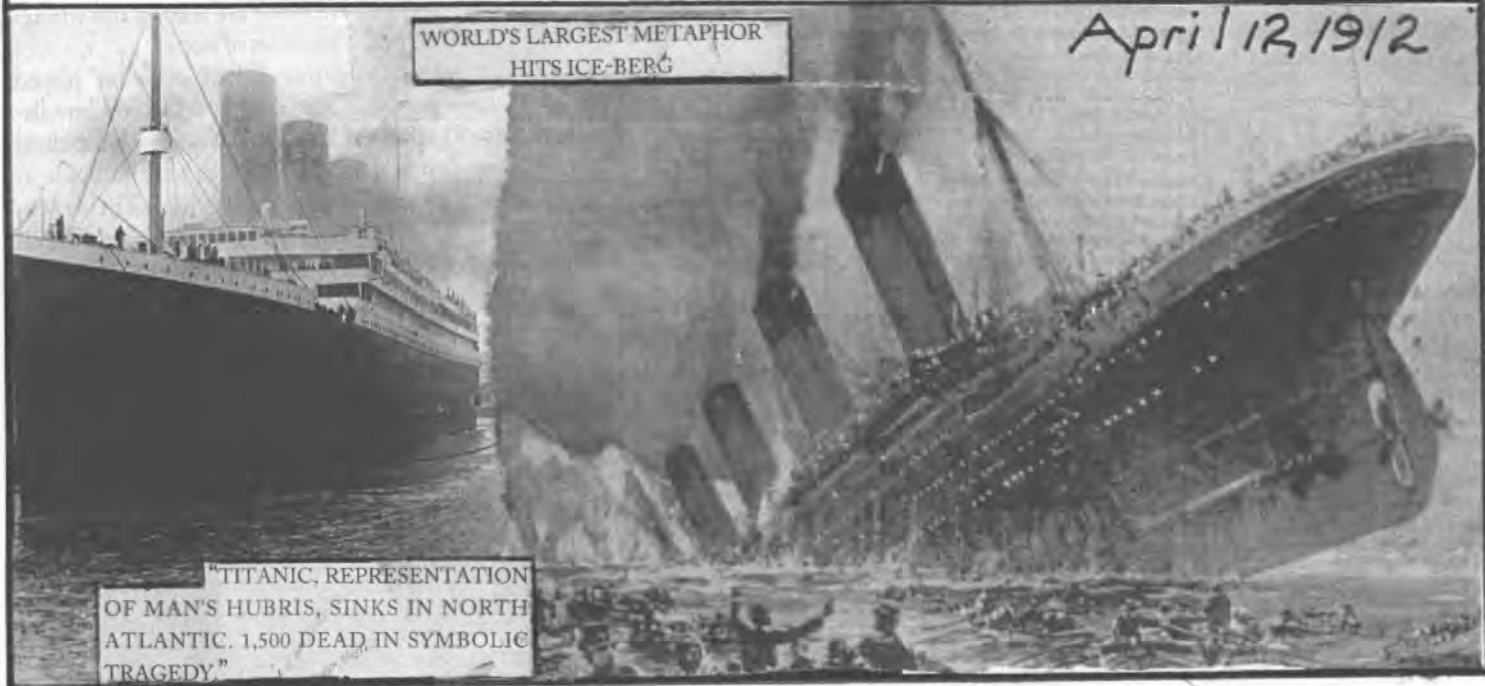
Deen said his platform would include the legalization of marijuana "and the fruit of the Tree of Knowledge."

"As Chief Justice, I would be a strict constructionist in my interpretation of all the Amendments and Commandments to both the U.S. and Alabama Constitutions," Deen wrote.

"However, like the Founding Fathers, I am a practicing pragmatist. A few things need to be changed in order for the justice system to operate more efficiently. There are 27 amendments to the U.S. Constitution. That is an unwieldy number. I propose we repeal the 17th and 19th amendments in order to have a nice round number to work with."

"The tenth commandment is also a problem. Ever since Moses dropped 'The Dime' on us in his Sermon on the Mount, law enforcement has been losing the 'War on Coveting.' Ten is an OK number. I propose we tweak the 10th commandment rather than repeal it."

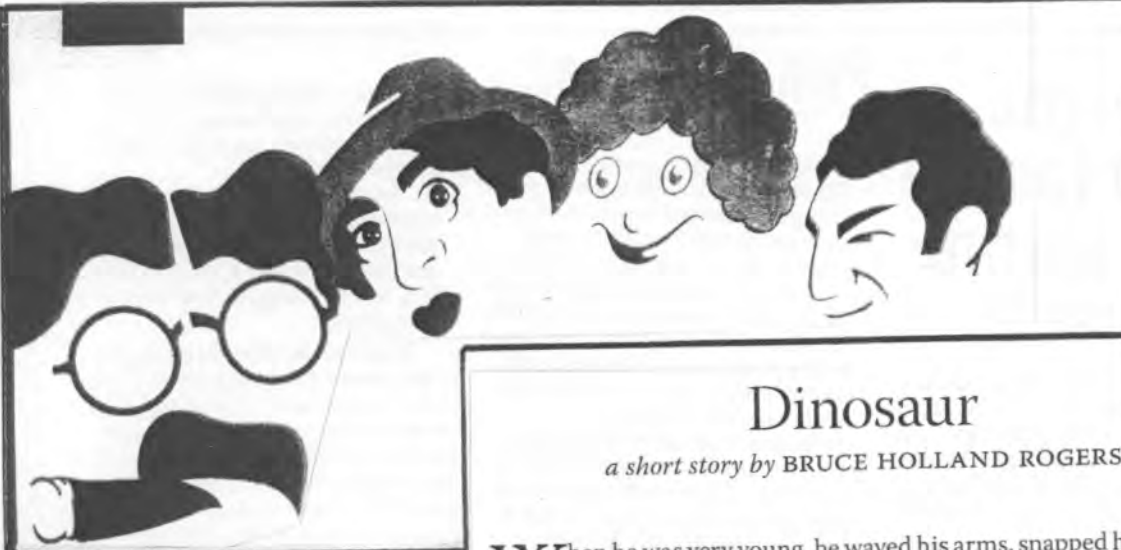
"The government has been successful in keeping people from coveting their neighbor's donkeys over the years, but in today's upside down real estate market, it is impossible to enforce a law prohibiting the coveting of houses. If we simply redact 'thy neighbor's house' from this commandment, the provisions about donkeys, wives, etc. could remain intact. The police would then have more time to check the immigration papers of Mercedes Benz executives and to arrest people who worship the Sabbath on Saturday."



WORLD'S LARGEST METAPHOR HITS ICE-BERG

April 12, 1912

"TITANIC, REPRESENTATION OF MAN'S HUBRIS, SINKS IN NORTH ATLANTIC. 1,500 DEAD IN SYMBOLIC TRAGEDY."



BARBIE MAGUIRE

Dinosaur

a short story by BRUCE HOLLAND ROGERS

'It is our duty to prevent soldiers from risking their health just for the sake of a quick adventure.'

HEINRICH HIMMLER, SS chief; a new book discloses how top Nazi officials sanctioned the distribution of sex dolls to German soldiers in World War II to keep them from sleeping with prostitutes



When he was very young, he waved his arms, snapped his massive jaws, and tromped around the house so that the dishes trembled in the china cabinet. "Oh, for goodness' sake," his mother said. "You are not a dinosaur! You are a human being!" Since he was not a dinosaur, he thought for a time that he might be a pirate. "Seriously," his father said to him after school one day, "what do you want to be?" A fireman, maybe. Or a policeman. Or a soldier. Some kind of hero.

But in high school they gave him tests and told him he was good with numbers. Perhaps he'd like to be a math teacher? That was respectable. Or a tax accountant? He could make a lot of money doing that. It seemed a good idea to make money, what with falling in love and thinking about raising a family. So he became a tax accountant, even though he sometimes regretted it, because it made him feel, well, small. And he felt even smaller when he was no longer a tax accountant, but a retired tax accountant. Still worse: a retired tax accountant who forgot things. He forgot to take the garbage to the curb, to take his pill, to turn his hearing aid on. Every day it seemed he forgot more things, important things, like where his children lived and which of them were married or divorced.

Then one day, when he was out for a walk by the lake, he forgot what his mother had told him. He forgot that he was not a dinosaur. He stood blinking his dinosaur eyes in the bright sunlight, feeling its familiar warmth on his dinosaur skin, watching dragonflies flitting among the horsetails at the water's edge.



courtesy of Joel Hirschhorn

THE GOODMOOD BLIMP

