

Will Charlottesville Be a Pretext for Toughening Police State Laws?

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The aftermath of 9/11 transformed America into a police state. Obama continued what Bush/Cheney began - cracking down hard on fundamental freedoms, subverting constitutionally protected rights.

Will Charlottesville be used as a pretext for more of the same? Violence last weekend was reprehensible. Responsible parties should be held fully accountable - federal, state and local laws adequate to handle things.

Attorney General Jeff Sessions opened an investigation into possible hate crime charges. Bipartisan leadership in Congress urged hate crime and terrorist charges against James Fields, accused of mowing down counter-demonstrators, causing one death and numerous injuries.

Federal hate crimes legislation was first enacted in 1968 - defined as threatening to use force "to willfully interfere with any person because of race, color, religion, or national origin and because the person is participating in a federally protected activity, such as public education, employment, jury service, travel, or the enjoyment of public accommodations, or helping another person to do so," according to the Justice Department.

Additional hate crimes legislation followed in 1988, 1996 and 2009 - expanding the federal definition of this crime.

As of mid-July 2016, the Justice Department charged 258 individuals with hate crimes - since 2009 alone.

The so-called Shepard Byrd Act (October 2009) made it a federal crime "to willfully cause bodily injury, or attempt to do so using a dangerous weapon, because of the victim's actual or perceived race, color, religion, or national origin," according to the DOJ.

It expanded previous hate crimes legislation. Is further expansion likely post-Charlottesville? Did Fields commit a hate crime and/or terrorism, or was he solely ideologically motivated against anyone opposed to his point of view?

He already faces murder and other charges. No evidence suggests he targeted individuals

for their race, religion, national origin or other factors hate crimes legislation specifies.

The 1968 Civil Rights Act criminalizes use of force to injure or intimidate anyone “participating lawfully in speech or peaceful assembly.”

It usually targets voting rights violations, not incidents like Charlottesville, though it’s appropriate using it to press charges against individuals responsible for violence last weekend.

AG Jeff Sessions called the deadly car ramming attack “domestic terrorism,” saying

“we will charge and advance the investigation toward the most serious charges that can be brought...”

So far, Fields is charged with second-degree murder, malicious wounding, and failure to stop at the scene of an accident resulting in a death – under Virginia law.

Will federal hate crime and terrorism charges follow? Will current federal laws be expanded to be harsher?

Will civil liberties suffer another body blow? Will tyranny advance further toward becoming full-blown?

US history is littered with repressive laws – Constitutional protections targeted since the 1798 Alien and Sedition Acts restricted First Amendment freedoms.

Police state harshness defines US policy, civil liberties grievously harmed. Anything goes in the name of national security is OK.

For the first time in US history, Patriot Act provisions created the crime of domestic terrorism. Section 802 applies to anyone allegedly engaged in “dangerous to human life” actions.

US citizens and permanent residents are vulnerable to accusations of violating federal, state, or local laws if they:

intimidate or coerce a civilian population;

influence government policy by intimidation or coercion; and/or

affect government conduct by mass destruction, assassination or kidnapping.

The devil is in the definition. Peaceful demonstrators can be targeted like violent ones. The First Amendment doesn’t discriminate against points of view hostile to government practices.

Academic, media and speech freedoms are fundamental in all free and open societies.

Using Charlottesville or similar violent incidents elsewhere as pretexts to compromise constitutional rights is what tyranny is all about.

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