

LETTER TO THE EDITOR - Free Speech and Hypocrisy

Todd Daugherty, FCC call sign N9OGL, and "Omega One" radio station operator from Taylorville, IL is a self proclaimed 'Free Speech Advocate.' But he has an insurmountable credibility problem. He is threatening other people with lawsuits, simply because they are exercising their free speech rights. Free speech covers the right to petition the government, and agencies thereof, including the police and the FCC. Daugherty's actions have a name: '*Hypocrisy*'.

Daugherty makes his position clear: "I WILL USES ANY MEANS NECESSARY TO KEEP MY FREE SPEECH IN TACT." [1], but that doesn't keep him from attempting to suppress speech he doesn't like. For example, he limits responses on his blog and he has deleted messages he disagrees with. He is within his rights to do so, but his actions run contrary to his public stand on unfettered free speech.

Daugherty has also threatened legal action and violence against those who practice free speech that he disagrees with. Daugherty has stated: "TO COMPLAIN TO THE TAYLORVILLE POLICE AND FBI ABOUT ME...GO FOR IT...I'LL SUE THEIR SORRY ASSES TOO" [1].

People have a right to express themselves, notably, to petition the government for redress of grievances. Daugherty calls these people the 'Anti-Free Speech Group.' How ironic. Daugherty is best described as '*Confused*.'

Daugherty has also expressed terroristic threats. In an open letter on his blog site to an agent of the FCC, W. Riley Hollingsworth, Daugherty states:

"SO YOU TELL THEM TO QUIT CALL OR EMAIL CONSOLIDATED COMMUNICATION (THE TELEPHONE COMPANY) AND LEAVE ME THE FUCK ALONE. BECAUSE IF YOU ALL TO MAKE THIS PERSONAL, I MAKE IT PERSONAL, AND I WON'T GIVE A SHIT ABOUT THE LAW, AND WILL MAKE WHAT BIN LADIN DID LOOK LIKE IT WAS DONE BY A FUCKING FIFTH GRADER... NO ONE FUCKS WITH FREE SPEECH....SO FUCKING BACK OFF YOU FUCKING PIECE OF SHIT....OR IT WILL HAPPEN!!!!" [1]

Daugherty's 'reasoning' contains two conceptual errors: 1) Individuals do not have the power to remove him from the Internet, and 2) He is trying to suppress the very speech he claims to advocate!

Private and public corporations have responsibilities to their organizations. One responsibility is the reduction of liability. For their own protection, companies have terms of service (TOS) which are basic agreements between themselves and their customers. Violation of Terms of Service results in a breach of contract, and service is then subject to termination. The customer may or may not get a warning, depending on the type of infraction noted.

Historically, Daugherty has lost his service on numerous occasions, presumably because he violated TOS, and instead of accepting responsibility for his own actions, he has continuously blamed others for what he calls 'suppression of his speech.'

In reality, complainants are merely exercising their free speech, and the Internet service providers are well within their rights to terminate Daugherty's service. Internet service providers and interactive website hosts are not liable for the content placed by their customers. But, if illegal content or conduct is present, and they're informed after the fact, they are often obligated to take action.

Some of Daugherty's content is questionable, as illustrated here:

(WARNING - Link to obscene material)[2] Click - n9ogl lolicon. Daugherty's obscene graphics have offended many people. Some of these people have complained to Daugherty's Internet service provider(s) and to his local library, after Daugherty disclosed he was using the library for Internet access.

When Daugherty violated FCC rules, some individuals recorded Daugherty's infractions, and after being warned by amateur radio operators about the language he used, Daugherty continued to violate FCC regulations. The FCC told Daugherty that he was in violation with regard to power output for his short wave station, Omega One. Daugherty disregarded FCC warnings and continued to blame others for trying to suppress his free speech. When the FCC pressed Daugherty about what HE SAID with regard to his station's power output, his response was, "Don't believe everything you see on the Internet" With that simple statement, Daugherty exposed himself as an habitual liar, without a shred of credibility

Free speech is acceptable up until the point where it violates the rights of others. There is no 'right' to libel or slander, or to make false accusations. Daugherty has repeatedly made false accusations. As one example, Daugherty has blamed Brian Crow for making complaints to CTI Tech and the Taylorville Library. It is a FACT that the complaints to CTI Tech and the Taylorville Library were not made by Mr. Crow.

The complaint to CTI tech was fielded by an office assistant, who easily found Daugherty's objectionable website because Daugherty used a computer with a CTI Tech IP address. The office assistant was obviously disturbed by what she saw. She contacted the owners of the network and within three hours, Daugherty's access was terminated.

In this case, Daugherty erred in two ways: He falsely accused Mr. Crow of committing acts against him, and falsely accused the FCC for taking part in that complaint process. In fact, Daugherty's loss of access was due solely to his own actions and content created by Daugherty himself.

Daugherty has filed for low power radio and television licenses. They were not approved by the FCC. Daugherty has clearly demonstrated that he lacks the character and maturity to hold a commercial and/or non-profit radio license. Daugherty lacks the character to even hold an Amateur Radio license. This stems from the fact that Daugherty continues to disrespect the authority of the FCC

There is a twisted logic used by Daugherty in determining what he calls suppression of free speech. Daugherty claims: "THESE INDIVIDUALS DON'T WANT ME ON THE INTERNET, NOR DO THEY WANT ME ON THE RADIO, THUS THEY SUPPRESSING MY RIGHT TO FREE SPEECH AND FREE PRESS. FUCK THEM, FUCK RILEY WHO SUPPORTS THEM!!" Daugherty overlooks the fact that Internet Service Providers are private companies with the right to terminate his service at any time for any reason, and part of free speech is the right of the public to make their opinions known. *Sorry Todd.*

Many have objected to what they call Daugherty's posting of obscene material. The material posted by Daugherty depicts cartoon characters resembling children and babies having sex with other children, dead people, adults, and animals.[1][2] I find it completely understandable that Daugherty's taste in 'art' draws complaints. The complaints are, in themselves, free speech. The irony is that Daugherty opposes the very free speech he claims to be trying to protect.

Signed,

An interested reader (name withheld due to Todd Daugherty's threats of violence)

References

[1] <http://n9oglvoice.blogspot.com/>

[2] <http://n9ogllolicon.blogspot.com/> (WARNING - Obscene content)