Tami Stainfield for President

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FEC Number http://www.tamistainfield.com/tami/campaign_finances C00498824

Dismiss True Threats

Stainfield made a statement about a women in a wheel chair who raised her hand in robotics as entering park; turned to leave (sidewalk/parking lot) stated to Persons cutting down tree limbs in so many words "great handicap and children tortured" Man filed complaint (?) he said "who cares" Tami response you should care etc. Robotics http://www.youtube.com/watch?v=13qf-bIOVII&feature=plcp Example Baby arms moves first seconds. **Tami did/does not know any of the persons and did not make a threat.**

Tami has no knowledge of how to use, control, or desire to ever support the use of the science – **Tami's Political Policy** http://www.tamistainfield.com/tami_and_constitution/technology_and_bill_of_rights Proof that the science does kill USA 2340 torture codes - we should care http://www.justice.gov/olc/18usc23402340a2.htm

> The United States understands that, in order to constitute torture, an act must be specifically intended to inflict severe physical or mental pain or suffering and that mental pain or suffering refers to prolonged mental harm caused by or resulting from (1) the intentional infliction or threatened infliction of severe physical pain or suffering; (2) the administration or application, or threatened administration or application, of mind altering substances or other procedures calculated to disrupt profoundly the senses or the personality; (3) the threat of imminent death; or (4) the threat that another person will imminently be subjected to death, severe physical pain or suffering, or the administration or application of mind altering substances or other procedures calculated to disrupt profoundly the senses or personality.

Letter sent to Congress -
http://tamistainfield.com/yahoo_site_admin/assets/docs/January_12_2012_Letter_to_US__UN_pdf.18551406.pdf

Watts v United States

http://caselaw.lp.findlaw.com/cgi-bin/getcase.pl?navby=case&court=US&vol=394&invol=705&pageno=708

http://supreme.justia.com/cases/federal/us/394/705/case.html

United States v. Jasick, 252 F. 931, 933 (D.C.E.D. Mich.1918). "**Suppression of speech as an effective police measure is an old, old device, outlawed by our Constitution."**

Petitioner's remark during political debate at small public gathering that, if inducted into Army (which he vowed would never occur) and made to carry a rifle "the first man I want to get in my sights is L.B.J.,"

held to be crude political hyperbole which, in light of its context and conditional nature, did not constitute a knowing and willful threat against the President within the coverage of 18 U.S.C. § 871(a).

After a jury trial in the United States District Court for the District of Columbia, petitioner was convicted of violating a 1917 statute which prohibits any person from "knowingly and willfully . . . [making] any threat to take the life of or to inflict bodily harm upon the President of the United States. . . ."

What is a threat must be distinguished from what is constitutionally protected speech.

The judges in the Court of Appeals differed over whether or not the "willfullness" requirement of the statute implied that a defendant must have intended to carry out his "threat." Some early cases found the willfullness requirement met if the speaker voluntarily uttered the charged words with "an apparent determination to carry them into execution." Ragansky v. United States, 253 F. 643, 645 (C. A. 7th Cir. 1918) (emphasis supplied); cf. Pierce v. United States, 365 F.2d 292 (C. A. [394 U.S. 705, 708] 10th Cir. 1966). The majority below seemed to agree. Perhaps this interpretation is correct, although we have grave doubts about it. See the dissenting opinion below, 131 U.S. App. D.C., at 135-142, 402 F.2d, at 686-693 (Wright, J.). But whatever the "willfullness" requirement implies, the statute initially requires the Government to prove a true "threat." We do not believe that the kind of political hyperbole indulged in by petitioner fits within that statutory term. For we must interpret the language Congress chose "against the background of a profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open, and that it may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials." New York Times Co. v. Sullivan, 376 U.S. 254, 270 (1964). The language of the political arena, like the language used in labor disputes, see Linn v. United Plant Guard Workers of America, 383 U.S. 53, 58 (1966), is often vituperative, abusive, and inexact. We agree with petitioner that his only offense here was "a kind of very crude offensive method of stating a political opposition to the President." Taken in context, and regarding the expressly conditional nature of the statement and the reaction of the listeners, we do not see how it could be interpreted otherwise.

Summary **In the case of *Watts v. United States* (1969)**, the United States Supreme Court ruled that mere political hyperbole must be distinguished from true threats. At a DuBois Club public rally on the Washington Monument grounds, a member of the assembled group suggested that the young people present should get more education before expressing their views. The defendant, an 18-year-old, replied:

> " They always holler at us to get an education. And now I have already received my draft classification as 1-A and I have got to report for my physical this Monday coming. I am not going. If they ever make me carry a rifle the first man I want to get in my sights is L. B. J. "

According to court testimony, the defendant in speaking made a gesture of sighting down the barrel of a rifle. The audience responded with laughter and applause, which the Court of Appeals would later view as potentially ominous: "[I]t has not been unknown for laughter and applause to have sinister implications for the safety of others. History records that applause and laughter frequently greeted

Hitler's predictions of the future of the German Jews. Even earlier, the Roman holidays celebrated in the Colosseum often were punctuated by cheers and laughter when the Emperor gestured 'thumbs down' on a fallen gladiator."[49]

The boy was arrested and found to be in possession of cannabis, but a Court of General Sessions Judge suppressed the cannabis because he found that there had been no probable cause for the Secret Service agents to believe the defendant's words constituted a threat to the President.[49] This did not prevent a federal court from convicting him for threatening the President. The United States Court of Appeals for the District of Columbia Circuit affirmed his conviction, but the Supreme Court reversed, stating, "We agree with petitioner that his only offense here was 'a kind of very crude offensive method of stating a political opposition to the President.' Taken in context, and regarding the expressly conditional nature of the statement and the reaction of the listeners, we do not see how it could be interpreted otherwise." In a concurring opinion, William O. Douglas noted, "The Alien and Sedition Laws constituted one of our sorriest chapters; and I had thought we had done with them forever ... Suppression of speech as an effective police measure is an old, old device, outlawed by our Constitution."[

http://en.wikipedia.org/wiki/Threatening_the_President_of_the_United_States

http://caselaw.lp.findlaw.com/cgi-bin/getcase.pl?navby=case&court=US&vol=394&invol=705&pageno=708

Science boy dies no brain lived 3 years

http://www.washingtonpost.com/national/colorado-boy-dies-after-living-3-years-without-a-brain-because-of-birth-defect/2012/11/01/d669f898-244e-11e2-92f8-7f9c4daf276a_story.html?wprss=rss_social-nation-headlines&Post+generic=%3Ftid%3Dsm_twitter_washingtonpost

Virginia v Black

http://caselaw.lp.findlaw.com/scripts/getcase.pl?court=US&vol=000&invol=01-1107

Dissmis Disturbing the Peace

Tami did not disturb the Peace she discussed with force (as allowed by law-not violence) the **words were about the science** and how it impacts the public and how it is being utilized; domestic violence, Loughner, brain and body science – brain mapping, brain computer interfaces – robotics, the subject is the science not the Persons.

http://www.tamistainfield.com/tami/campaign_finances Tami Stainfield for President FEC documentation. Political Candidate

2011 SNYDER *v.* PHELPS ET AL. http://www.supremecourt.gov/opinions/10pdf/09-751.pdf

> Although the boundaries of what constitutes speech on matters of public concern are not well defined, this Court has said that speech is of public con cern when it can "be fairly considered as relating to any matter of po litical, social, or other concern to the community," *id.,* at 146, or when it "is a subject of general interest and of value and concern to the public," *San Diego* v. *Roe*, 543 U. S. 77, 83–84.
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> **To determine whether speech is of public or private concern**, this Court must independently examine the " 'content, form, and con text,' " of the speech " 'as revealed by the whole record.' " *Dun & Bradstreet, Inc.* v. *Greenmoss Builders, Inc.,* 472 U. S. 749, 761. In considering content, form, and context, no factor is dispositive, and it is necessary to evaluate all aspects of the speech. Pp. 7–8.

Tami speech is of public concern "who cares" why you should care – it's a public issue – as telling people a meningitis, rapist, a killer, a tornado is a public concern. The context of Tami's discussion and argument is illegal use of brain and body sciences http://www.tamistainfield.com/tami_and_constitution/technology_and_bill_of_rights

In a case such as this, a jury is "unlikely to be neutral with respect to the content of [the] speech," posing **"a real danger of becoming an instrument for the suppression of … 'vehement, caustic, and sometimes unpleasan[t]' "** expression. *Bose Corp.* , 466 U. S., at 510 (quoting *New York Times* , 376 U. S., at 270). Such a risk is unacceptable; "**in public debate [we] must tolerate insulting, and even outrageous, speech in order to provide adequate 'breathing space' to the freedoms protected by the First Amendment ." *Boos* v. *Barry* , 485 U. S. 312, 322 (1988) (some internal quotation marks omitted).**

Chaplinsky vs New Hampshire – INSEARCH OF THE TRUTH – WHY NO ACTIVISM, NO POLICE, BLACKMAILED?

The Court, in a unanimous decision, upheld the arrest. Writing the decision for the Court, Justice Frank Murphy advanced a "two-tier theory" of the First Amendment. Certain "well-defined and narrowly limited" categories of speech fall outside the bounds of constitutional protection. Thus, "the lewd and obscene, the profane, the libelous," and (in this case) insulting or "fighting" words neither contributed to the expression of ideas nor possessed any "social value" in the search for truth.[2]

Murphy wrote:

> There are certain well-defined and narrowly limited classes of speech, the prevention and punishment of which have never been thought to raise any constitutional problem. These include the lewd and obscene, the profane, the libelous, and the insulting or "fighting" words those which by their very utterance inflict injury or tend to incite an immediate breach of the peace. It has been well observed that such utterances are no essential part of any exposition of ideas, and are of such slight social value as a step to truth that any benefit that may be derived from them is clearly outweighed by the social interest in order and morality.

Nebraska v Drahota 2010

http://www.docstoc.com/docs/55419011/State-v-Drahota_-280-Neb-627-_2010_

http://www.supremecourt.ne.gov/opinions/

Pg. 635 [8] We agree. We hold that the State cannot constitutionally criminalize speech under 28-1322 solely because it inflicts emotional injury, annoys, offends, or angers another person.

Pg. 636 Drahot's speech was not likely to provoke an immediate breach of the Peace

"The U.S Supreme Court in Chaplinsky held that a state could regulate speech that tends to incite an immediate breach of the peace. Although the Supreme Court has not upheld such a conviction since Chaplinsky, other courts, including this court have done so."…"The context of Drahota's speech was an ongoing political debate, not random obscenities directed at small children, which could likely provoke a response from nearby adults.

Again Tami stated a comment about the robotics movement of a handicap women (adult ?) they stated to me "who cares" they made a crazy hand to head; as Tweets discussed. The 'fighting words" normal person. No children.

Justice Brennan 1987 The Science

Wiretapping his home is Person – private thoughts restraint privacy

Bill Moyer – "You said at Brandies University - "We have given Government more power over our lives than ever before." Justice Brennan says "exactly I certainly do that's why we have to be wary of government"

Bill Moyer – "what powers were they given?"

Justice Brennan "oh my were subject to all kinds of regulations, all sorts of regulations, that really that you just got to watch the exercise by governmental powers to see that they are not used to oppress which was precisely what they setup the system of divided powers"

Bill Moyer what did you mean when you said that "**With the miracles of science we may have created a Frankenstein and this is the cause for concern**"

"What I am thinking about some of the ways now that they can the very conversation we are now having can be overheard science has done things as I understand it makes it possible that thru those drapes and thru those window to get something in here that picks up what we're talking about. That's what I am talking about"