

It's OUR LAW-- But Only If We Insist It Be Respected

I NEVER THOUGHT I WOULD SEE THE DAY IN THIS COUNTRY when I could be ordered to sign my name to words dictated by the United States government, not to mention words I believe to be false. I've seen this sort of thing on TV where American hostages are giving testimonials with ski-masked, armed captors ensuring that the Americans spoke the words that would spare their lives.

With considerable dismay, I now see our judiciary employing the same tactics that terrorists impose on their victims. Doreen Hendrickson has been ordered to perjure herself, that is to sign her name to documents that say things the government wants said, even though she believe these things to be false.

Seven years ago, Federal Judge Nancy Edmunds (ED Michigan) ordered Doreen to make this false testimony, and to declare that it is her own testimony. Three-and-a-half years later Edmunds added a requirement that the fact that the testimony is coerced and not Doreen's own be concealed (as asked of her by the IRS and DOJ).

Doreen now faces trial on charges of criminal contempt of court for resisting these plainly illegal orders. This is not the first trial, though-- it is the second government shot at Doreen.

The trial judge in Doreen's first trial last October [actually ordered the jury](#) to disregard the unconstitutionality of the orders Doreen is accused of "criminally resisting" (at the request of the team of attorneys from Washington flown in to prosecute her). More, the government requested, and the judge delivered, [an instruction that not all jurors needed to find that Doreen actually violated either order](#). It would be enough, the instruction said, if the government could only get some to think she violated one, and the rest to think she did the other, even if each group believed she HADN'T been proven to have done what the other group thought was proven. This is completely in violation of the rules, under which guilty verdicts must be unanimous as to any element of a charged offense.

Doreen, completely a legal amateur in every way, took on the government's conviction-by-any-means-necessary specialists all by herself. Still, the government could not get the jury to convict.

Despite the huge effort put on by the team of three DOJ attorneys during the four-day trial, at least some members of the jury recognized that the law and the facts are entirely on Doreen's side. But the government desperately wants this conviction. It views the preservation of certain key myths about the income tax to be at stake, and so it is coming back at Doreen again.

Let me be clear. Doreen is not being put through this for refusing to testify. She HAS already testified. The government just doesn't like what she said, and is trying to coerce her into saying things more to its interests. (Can you say: suborning perjury? How about: raw, banana-republic-level corruption?)

Though the testimony involved is on tax returns, this fact is not relevant. The only relevant issue is that a federal judge has completely overstepped her authority.

No one in this country can legally compel custom testimony...Not on a tax form...Not on a contract... NOT ON ANYTHING!!!

Please help to uphold the principles on which this country was founded. Today, it's Doreen and a tax form. Tomorrow...

Please join me in taking serious notice of this precipitous descent into Stalinism in an America already dangerously far down the road to complete lawlessness and barbarism.

Read the document that follows. Some of the material will be easy, some will call for a little more effort, but all will be crystal clear.

Remember, in this country, the law is OUR law, and the only ones who can enforce it against government operatives who take liberties with the rules are the rest of us. They can't be relied upon to police themselves...

We Haven't Ever Before Had A Trial For Heresy In America, But One Is On The Docket Now...

BACK IN WHAT WE ALL LIKE TO THINK OF AS A DISTANT PAST, the ways of which are universally viewed with derision, contempt and condemnation as both simple-minded and barbaric, people were sometimes accused of "[heresy](#)". The crime was the profession of a belief which "the authorities" wished to go unspoken.

The fictional pretext for criminalizing heresy was that the heretic really knew better than what she errantly professed, because the officially-approved beliefs are presumed to be unmistakable established truths. They wouldn't be the "officially-approved" beliefs otherwise, don't you see, and anyone too dense to recognize them like everyone else has done must know them to be such truths anyway, because of that "official approval".

A heretic could therefore be properly punished for lying and properly made to declare instead what the authorities knew she really knew to be true. Further, the crime wasn't just an individual perjury; a heretic's continued profession of her errant beliefs, and her failure to recant and instead profess the favored view, would infect the minds of others with her [seditious](#) beliefs.

Perhaps the best known victim of this tyrannical practice was Galileo Galilei. Galileo was accused of heresy for declaring his belief that the Earth revolved around the Sun, contrary to the official view at the time.

Sorry to say, Galileo recanted his perfectly correct conclusions and was spared being burned at the stake. (He was sentenced to house arrest for the rest of his life anyway, for having lied in the first place as proven by his recantation, and as warning against the next person who might be tempted to publicly declare a belief contrary to the "official" one that everybody knows to be true, the right to do so having been something else Galileo had asserted as part of his "heresy").

Popular resistance to this manifestly improper rationalization for the exercise of state power against an individual was overcome with the sly claim that it was all about saving the souls of the accused, since heresies were purportedly rejections of God. This was combined with the unspoken but obvious threat that anyone who objected too strongly to the assault on any "heretic" could be readily tarred as being a heretic himself, and would become the next in line for the attention of the inquisitor.

The real goal, of course, was the suppression of information, conclusions and beliefs which threatened to take hold in the minds of others and undermine the status quo. Those in power understand that the reason things are the way they are, with themselves on top, is because of the way things are. They strive mightily to prevent change-- especially change in the perceptions of those capable of taking away their power.

A "TRIAL" FOR HERESY WAS SOMETIMES KNOWN AS an "auto de fe"-- an "act of faith". Once the relevant tribunal (the "inquisitor", generally) had determined that the charged expression qualified as heresy, the accused would be given a chance to recant her disfavored belief and declare her adherence to a position the powers-that-be found more to their liking. If stubborn, the accused would be tortured for a while to help her remember that deep down inside she knew the truth of the favored view and the error of her own (or that deep down, she really didn't believe her professed view at all).

If an accused heretic were to recant (under the influence, or anticipatory fear, of the torture or other penalties of continued contumaciousness), she might still be punished, but not so badly as otherwise. If she did not, things would be the worse for her...

Barbaric and simple-minded, right? Thing of the past, yes?

Indeed, this kind of thing is expressly prohibited in America by virtue of the First Amendment guarantee of freedom of expression and conscience, isn't it?

NOT ANYMORE.

This very day Doreen Hendrickson faces a charge of heresy. Doreen has been charged with criminal contempt of court for refusing to recant a belief about a matter of law which she has repeatedly declared under oath, and to replace it with a contrary statement declaring that she believes something the government would prefer her to say.

Doreen was ordered to declare this government-dictated "belief" over her sworn signature attesting that it is her own belief. She was also ordered to lie about the fact that the recantation and contrary, government-dictated declaration are by command of the court, so as to perfect the appearance that these are things done of her own accord and truly reflect what she herself really believes to be true and correct.

What's more, the "belief" that Doreen was ordered to declare is that her earnings qualify for the "income tax". Plainly, this is something either objectively true or not, irrespective of Doreen Hendrickson's beliefs, meaning that the order can have no legitimate practical or legal purpose.

Further, Doreen is ordered to declare this "belief" on her own tax form, the legal effect of which is to authorize the government to impose a tax on those earnings. The government has been unable to assess a tax on these earnings, even over the course of the 11 years that have passed since some of them were received-- because, in fact, her earnings do NOT qualify for the tax, as this history, and the very fact that the government is trying to force Doreen to agree that they do, should make clear to anyone old enough to be out of kindergarten.

Thus, the coerced lies ordered by the government and the court assault not only the very core of liberty-- freedom of speech and conscience. They also assault the principle of "due process" as well, under which no one can be forced to declare agreement with a legal adversary's view of the facts.

More, these corrupt orders don't simply serve the state's corrupt political interest overtly declared in the court's order, which explained itself as intended to discourage others who "imitate" Doreen and "file false tax returns"-- returns which, [in their tens of thousands over a full decade now](#) and even [when striven mightily against](#), the government has been unable to overcome by any legal means and which are plainly NOT "false".

Instead, these corrupt orders have the added dimension of serving the direct and immediate financial interest of those in control of the state, as well, because that's really what this is all about.

I THINK EVERY RATIONAL AMERICAN CAN AGREE that it's one thing for the state to tell someone that she must declare what she believes, and it's rather another for the state to tell someone WHAT she must declare she believes. The one is mere "discovery". The other is rankest tyranny.

Doreen's first trial ended in a hung jury, thanks to her good fortune in ending up with one or more real Americans being among those into whose hands this case was put. But if everyone's right to freedom of speech and conscience is to still be preserved when the government comes back at her again next summer, we all need to make some noise about this assault, and keep on making it.

Martin Luther King Jr.'s Experience With Birmingham, Alabama, Illustrates This Case

There's an interesting historical event that beautifully illustrates the gravity and corruption of the assault on Doreen Hendrickson's First Amendment rights. In 1967, a case called *Walker v. City of Birmingham* was decided by the US Supreme Court (388 U.S. 307 (1967)). *Walker* concerns an injunction prohibiting Martin Luther King, Jr., Ralph Abernathy, and other civil rights activists from marching without a permit in Birmingham, Alabama in 1963. The march took place *sans* permit (or even an effort to get one); the marchers were convicted of contempt; and the case went to the Supreme Court, in part challenging the injunction on First Amendment grounds as a restraint on speech.

In a five-four split, the high court upheld the convictions, ruling that there WAS no First Amendment issue (just as had each state court before it)-- *because the injunction did not seek to control or restrain their speech, but only required them to conduct their march, with its substantial impact on the city during its progress, in accordance with established procedures for such affairs.* Had the marchers sought and received the permits as ordered, they were free to say what they wished, consistent with their First Amendment rights

In Mrs. Hendrickson's case, however, in bright-line contrast, *the government is telling Mrs. Hendrickson what she must say on the sign she carries during her march.* Mrs. Hendrickson was not told, "Do this and do that, and then say what you wish during your march, as is your right." *She was told that if she wishes to march, she can only do so if her signs say what the state wishes to see on them.*

In fact, it's worse. One of Judge Edmunds' orders COMMANDS Mrs. Hendrickson to march while holding signs painted up with government-dictated, government-serving messages meant to be seen as her own, which she believes to be lies.

The other order enjoins Mrs. Hendrickson from even seeking a permit to march-- unless she agrees to carry the government's signage, and express nothing but what the government wishes expressed. Can it be imagined that the Supreme Court would have seen no First Amendment issue in the *Walker* case had the injunction there REQUIRED Rev. King to march-- *carrying signage declaring his belief that segregation was right and proper?* Or enjoined him from seeking a permit to march *unless he carries such messages while marching?*

In bold contrast to *Walker*, then, and brightly illuminated by that contrast, the injunctions involved in *United States v. Hendrickson* and which lie at the center of the instant case are TRANSPARENTLY UNLAWFUL.

Both the Sixth Circuit Court of Appeals and the US Supreme Court contrived to misunderstand the First Amendment issues in Mrs. Hendrickson's case when asked to address that case directly. But both courts have squarely ruled against what is being done here when not being urged by a tax-hungry executive to dodge those issues. As the Sixth Circuit says when ACTUALLY addressing the prospect of orders of this kind:

"[E]ven minimal infringement upon First Amendment values constitutes irreparable injury..."
Newsom v. Morris, 888 F.2d 371 (6th Cir. 1989) (citing to *Elrod v. Burns*, 427 U.S. 347 (1976))

The court continues in *Newsom* to directly address the instant case, in which the government seeks to punish Doreen Hendrickson for exercising her right to control the content of her own speech and expressions of belief:

"[D]irect retaliation by the state for having exercised First Amendment freedoms in the past is particularly proscribed by the First Amendment."
Newsom, ibid.

In merely its latest of many, many occasions of addressing the prospect of orders like those Mrs. Hendrickson is

charged with a crime for resisting, the Supreme Court repeats its ancient and rock-solid position:

"It is, however, a basic First Amendment principle that **“freedom of speech prohibits the government from telling people what they must say,”**

and

"If there is any fixed star in our constitutional constellation, it is that **no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein.**"

Agency for Int'l Development v. Alliance for Open Society Int'l, Inc., 133 S. Ct. 2321 (2013) (citations omitted and emphasis added.)

THIS is our honorable tradition of respect for speech rights, and no one in America can afford to let it vanish. Please help keep that from happening.

Please plan to be in Detroit on July 21 and through the end of the (likely three-day) trial, in Victoria Roberts' courtroom at the [Theodore Levin Federal Courthouse](#), business-casual and well-groomed!!

-Pete Hendrickson

*These motions reveal something of the nature of the charge and the history and legal principles related to the issues involved: [Motion To Dismiss](#), [Govt. Response](#), [Reply](#); [Motion to Dismiss or Revise Indictment](#), [Govt. Response](#), [Reply](#). All of these motions were denied (like pretty much every case-related defense motion throughout the affair except the one for Doreen to proceed on her own behalf. A [Motion for Reconsideration of the Motion to Dismiss](#) was filed and is also worth reading-- it was denied within a couple of days of being filed with a curt repetition of the false assertion that the First Amendment issues had already been ruled on.