
Subject: OT: It's now illegal to annoy someone online
Posted by [Gernader8](#) on Mon, 09 Jan 2006 20:27:07 GMT
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http://news.com.com/Create+an+e-annoyance%2C+go+to+jail/2010-1028_3-6022491.html?part=rss&tag=6022491&subj=news

Quote: Annoying someone via the Internet is now a federal crime.

It's no joke. Last Thursday, President Bush signed into law a prohibition on posting annoying Web messages or sending annoying e-mail messages without disclosing your true identity.

In other words, it's OK to flame someone on a mailing list or in a blog as long as you do it under your real name. Thank Congress for small favors, I guess.

This ridiculous prohibition, which would likely imperil much of Usenet, is buried in the so-called Violence Against Women and Department of Justice Reauthorization Act. Criminal penalties include stiff fines and two years in prison.

"The use of the word 'annoy' is particularly problematic," says Marv Johnson, legislative counsel for the American Civil Liberties Union. "What's annoying to one person may not be annoying to someone else."

It's illegal to annoy

A new federal law states that when you annoy someone on the Internet, you must disclose your identity. Here's the relevant language.

"Whoever...utilizes any device or software that can be used to originate telecommunications or other types of communications that are transmitted, in whole or in part, by the Internet... without disclosing his identity and with intent to annoy, abuse, threaten, or harass any person...who receives the communications...shall be fined under title 18 or imprisoned not more than two years, or both."

Buried deep in the new law is Sec. 113, an innocuously titled bit called "Preventing Cyberstalking." It rewrites existing telephone harassment law to prohibit anyone from using the Internet "without disclosing his identity and with intent to annoy."

To grease the rails for this idea, Sen. Arlen Specter, a Pennsylvania Republican, and the section's other sponsors slipped it into an unrelated, must-pass bill to fund the Department of Justice. The plan: to make it politically infeasible for politicians to oppose the measure.

The tactic worked. The bill cleared the House of Representatives by voice vote, and the Senate unanimously approved it Dec. 16.

There's an interesting side note. An earlier version that the House approved in September had radically different wording. It was reasonable by comparison, and criminalized only using an "interactive computer service" to cause someone "substantial emotional harm."

That kind of prohibition might make sense. But why should merely annoying someone be illegal?

There are perfectly legitimate reasons to set up a Web site or write something incendiary without telling everyone exactly who you are.

Think about it: A woman fired by a manager who demanded sexual favors wants to blog about it without divulging her full name. An aspiring pundit hopes to set up the next Suck.com. A frustrated citizen wants to send e-mail describing corruption in local government without worrying about reprisals.

In each of those three cases, someone's probably going to be annoyed. That's enough to make the action a crime. (The Justice Department won't file charges in every case, of course, but trusting prosecutorial discretion is hardly reassuring.)

Clinton Fein, a San Francisco resident who runs the Annoy.com site, says a feature permitting visitors to send obnoxious and profane postcards through e-mail could be imperiled.

"Who decides what's annoying? That's the ultimate question," Fein said. He added: "If you send an annoying message via the United States Post Office, do you have to reveal your identity?"

Fein once sued to overturn part of the Communications Decency Act that outlawed transmitting indecent material "with intent to annoy." But the courts ruled the law applied only to obscene material, so Annoy.com didn't have to worry.

"I'm certainly not going to close the site down," Fein said on Friday. "I would fight it on First Amendment grounds."

He's right. Our esteemed politicians can't seem to grasp this simple point, but the First Amendment protects our right to write something that annoys someone else.

It even shields our right to do it anonymously. U.S. Supreme Court Justice Clarence Thomas defended this principle magnificently in a 1995 case involving an Ohio woman who was punished for distributing anonymous political pamphlets.

If President Bush truly believed in the principle of limited government (it is in his official bio), he'd realize that the law he signed cannot be squared with the Constitution he swore to uphold.

And then he'd repeat what President Clinton did a decade ago when he felt compelled to sign a massive telecommunications law. Clinton realized that the section of the law punishing abortion-related material on the Internet was unconstitutional, and he directed the Justice Department not to enforce it.

Bush has the chance to show his respect for what he calls Americans' personal freedoms. Now we'll see if the president rises to the occasion.

Subject: Re: OT: It's now illegal to annoy someone online

Posted by [rm5248](#) on Mon, 09 Jan 2006 20:38:32 GMT

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...

What the hell, is the world going crazy or something?

Subject: Re: OT: It's now illegal to annoy someone online

Posted by [Mindtzar](#) on Mon, 09 Jan 2006 21:18:47 GMT

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So much for the land of freedom and opportunity, eh?

Subject: Re: OT: It's now illegal to annoy someone online

Posted by [ben5015se](#) on Mon, 09 Jan 2006 21:28:28 GMT

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there goes nopic's position on the internet

Subject: Re: OT: It's now illegal to annoy someone online

Posted by [Scythar](#) on Mon, 09 Jan 2006 21:38:01 GMT

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Somehow I have a feeling this is just the beginning when it comes to Internet freedoms/privacy in America....

Subject: Re: OT: It's now illegal to annoy someone online

Posted by [Jaspah](#) on Mon, 09 Jan 2006 21:44:31 GMT

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Scythar wrote on Mon, 09 January 2006 16:38 Somehow I have a feeling this is just the beginning when it comes to Internet freedoms/privacy in America....

You're annoying me!

Tell me your real name or I will press charges!!11oneone

>:O

Subject: Re: OT: It's now illegal to annoy someone online

Posted by [Mad Ivan](#) on Mon, 09 Jan 2006 21:56:42 GMT

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lol and what if you piss someone from the US off and live in some other country? I believe there is no such thing in international law

Subject: Re: OT: It's now illegal to annoy someone online

Posted by [idebo](#) on Mon, 09 Jan 2006 22:05:53 GMT

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Hello, my name is Ian and screw you all.

Subject: Re: OT: It's now illegal to annoy someone online

Posted by [Lijitsu](#) on Mon, 09 Jan 2006 22:35:04 GMT

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ben5015se wrote on Mon, 09 January 2006 16:28there goes nopic's position on the internet
Rofl.

Subject: Re: OT: It's now illegal to annoy someone online

Posted by [Renx](#) on Mon, 09 Jan 2006 23:41:21 GMT

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Lol, so we can annoy Americans and they can't annoy us back?

Subject: Re: OT: It's now illegal to annoy someone online

Posted by [Mad Ivan](#) on Mon, 09 Jan 2006 23:54:12 GMT

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evil...

Subject: Re: OT: It's now illegal to annoy someone online

Posted by [icedog90](#) on Tue, 10 Jan 2006 01:30:33 GMT

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This country is fucked.

Subject: Re: OT: It's now illegal to annoy someone online

Posted by [Nineball](#) on Tue, 10 Jan 2006 01:32:23 GMT

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Just another reason to move to Canada ASAP...

And the worst part? It was tied in with some Defense budget bill, so it was impossible to deny, or we'd have some serious problems...

Subject: Re: OT: It's now illegal to annoy someone online

Posted by [JeepRubi](#) on Tue, 10 Jan 2006 02:34:10 GMT

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Renx wrote on Mon, 09 January 2006 15:41: Lol, so we can annoy Americans and they can't annoy us back?

Dont give me ideas.....

Subject: Re: OT: It's now illegal to annoy someone online

Posted by [Hydra](#) on Tue, 10 Jan 2006 02:48:43 GMT

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This is just one more reason to institute a presidential line-item veto. Scores of state governors have that power to combat pork-barrelling and underhanded measures such as this; why can't the President?

Damn Arlen Specter and his Republicrat cohorts....

Nineball wrote on Mon, 09 January 2006 20:32: It was tied in with some Defense budget bill Justice Department budget bill.

Subject: Re: OT: It's now illegal to annoy someone online

Posted by [warranto](#) on Tue, 10 Jan 2006 04:54:59 GMT

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now, the question remains: What qualifies as "Identify yourself" is it enough to get an annoying letter from the IRS, or does the employee have to identify himself directly?

"Hello I am from the Internal Revenue Service, and we are emailing you to tell you that you owe us money!"

"This is so annoying."

Lawsuit occurs

Subject: Re: OT: It's now illegal to annoy someone online

Posted by [cheesesoda](#) on Tue, 10 Jan 2006 05:46:01 GMT

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I hate our politicians. Republican and Democrat alike. Who the fuck gives them domain over cyberspace? I don't give a fuck how big of a nation we are, WE ARE NOT IN CHARGE OF THE INTERNET. I don't see how our politicians get off thinking differently. Fucking morons.

Subject: Re: OT: It's now illegal to annoy someone online

Posted by [RTsa](#) on Tue, 10 Jan 2006 14:11:57 GMT

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Quote:lol and what if you piss someone from the US off and live in some other country? I believe there is no such thing in international law
I thank god I do not live in the USA.

This has to be the stupidest thing ever though...I bet conspiracy theorists are going crazy right now (with the budget thing I mean...)

Subject: Re: OT: It's now illegal to annoy someone online

Posted by [SCOTT9](#) on Tue, 10 Jan 2006 14:27:12 GMT

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as i am foreign fuck you all rofl

Subject: Re: OT: It's now illegal to annoy someone online

Posted by [SCOTT9](#) on Tue, 10 Jan 2006 14:28:34 GMT

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the fucking american government dont own you why let it happen

Subject: Re: OT: It's now illegal to annoy someone online

Posted by [sloth4urluv](#) on Tue, 10 Jan 2006 14:55:44 GMT

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Yeah our government is pretty dumb.

Mindtzar wrote on Mon, 09 January 2006 16:18So much for the land of freedom and opportunity, eh?

I believe that place died a long time ago, freedom is only an illusion in this country. I don't see how our country is anymore free than any other country?

America has more stupid laws and less personal freedoms than most countries.

Where is my right to protest without being beaten by a cop? Where is my right to smoke weed if I want to? (Is there a difference between being drunk and being high besides that the government

regulates and makes money from alcohol?)

Where is my right to believe what ever I want to believe in school (not saying I have to make everyone else participate but if I want to create a group of people to assemble together thats my fucking right.)

Ireally hate this country sometime.

Subject: Re: OT: It's now illegal to annoy someone online

Posted by [Ma1kel](#) on Tue, 10 Jan 2006 15:39:37 GMT

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Renx wrote on Mon, 09 January 2006 17:41Lol, so we can annoy Americans and they can't annoy us back?

Lol, good point.

Now we only have to wait for people making fun of this with pictures and movies.

Subject: Re: OT: It's now illegal to annoy someone online

Posted by [Jecht](#) on Tue, 10 Jan 2006 16:55:17 GMT

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I will continue to belligerently annoy and mentally pillage everyone who deserves it. This law changes nothing.

Subject: Re: OT: It's now illegal to annoy someone online

Posted by [cheesesoda](#) on Tue, 10 Jan 2006 18:27:48 GMT

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sloth4urluv wrote on Tue, 10 January 2006 08:55America has more stupid laws and less personal freedoms than most countries.

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Where is my right to believe what ever I want to believe in school (not saying I have to make everyone else participate but if I want to create a group of people to assemble together thats my fucking right.

I have yet to see someone, from my city, be beat up for protesting on the side of our busiest street.

Weed should be legalized, but any person caught in public under the influence, just like it is with alcohol, they should be arrested and fined. Same goes for impaired driving.

You can thank the liberals for that. Somehow religious beliefs are offensive to non-spiritual people, but barring (non-mandatory) spiritual activities and programs from schools is OBVIOUSLY not offensive to religious people...

This country is becoming more and more strict as the liberals continue to increase the size of the government, which ultimately gives them more and more power. You can't have freedom and big government. You have to sacrifice one or the other. Personally, fuck the intrusive government. Keep it small and my freedoms large.

Subject: Re: OT: It's now illegal to annoy someone online
Posted by [cypher909](#) on Tue, 10 Jan 2006 20:32:00 GMT

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Couldn't have said it better myself jball.

Subject: Re: OT: It's now illegal to annoy someone online
Posted by [rm5248](#) on Tue, 10 Jan 2006 21:26:36 GMT

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Yeah, I just relised something in school,

1. How the hell are they going to prosecute you for this if you don't give them your name? Subpoena a web site in Ukraine that you visit for your IP so that they can track you down?
2. In the unlikely event that this law actually gets enforced, whoever gets sued or whatever is immediately going to claim that his 1st ammendment right (right of free speech) is being violated.

Subject: Re: OT: It's now illegal to annoy someone online
Posted by [Kamuix](#) on Tue, 10 Jan 2006 21:30:28 GMT

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Off we go to Dumblaws.com

Subject: Re: OT: It's now illegal to annoy someone online
Posted by [Hydra](#) on Tue, 10 Jan 2006 21:33:35 GMT

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sloth4urluv wrote on Tue, 10 January 2006 09:55Yeah our government is pretty dumb.
Mindtzar wrote on Mon, 09 January 2006 16:18So much for the land of freedom and oportunity, eh?
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I really hate this country sometime.

So why the hell are you still here, you slimy, spoiled little hypocrite?

If America is the worst nation in the world, why don't you get the hell out and stop your damn complaining? I'm sure they'd love to have you over in China where they can work you for 15 hours a day for \$1.25 an hour in a sweatshop. That's where you'd likely end up, anyway, since you wouldn't have any means whatsoever to ascend to a higher class in their fucked-up brand of communism.

I'm sure they'd love you over in the Middle East, too. You're obviously easy to program if you think that way about your home country, so they would find no challenge in converting you to Islam. You'd make a fine suicide bomber in their war against the Jews and Jew-lovers (what they view Americans as).

Too far for you? Why not just hop the border south to Mexico? There you can commit all the crime you want without much fear of government enforcement of the laws. Just be careful in the especially poor parts of the country (90+% of the land area, probably) as you may end up becoming Manuel's ass-puta (a pussy of your caliber won't put up much of a fight; you best learn to sing in spanish lest Manuel shoves it up higher).

How about travelling north to the great country of Canada, where there are more caribou in the Yukon than people in the entire country? Smoke as much weed as you want up there as you get the rest of your money taken away from you and shoved into a socialized healthcare system where you'll probably never see it again (hope that you don't need any major surgeries any time soon; the wait lists are pretty damn long).

(No offense to any of our Canadian friends out there)

Since you hate this country so much, I challenge you to find a better one. Find a better nation and move there. Just remember that you won't have the Constitution or the Bill of Rights or any of the amendments to defend any of your basic rights. In fact, you may have your land taken away simply because you're white if you move to Zimbabwe.

America has its problems, sure; every nation in the world does. But America has proven itself to have the best system in the entire world to overcome and change those problems while protecting and defending the most basic rights a human being deserves to have. America is the most powerful country in the world militarily, economically, and politically. Its closest contenders in recent decades have been the Soviet Union and China; one doesn't exist any more while the other has one of the poorest standards of living and most restrictive governments in the world (I don't see it lasting for much longer). America didn't reach the top by having the worst system; it got there by being the best and freest nation in the world. We have been blessed with a country that 1) has a government accountable to the people that cannot violate written rights enshrined in the Constitution and the Bill of Rights and 2) offers the most opportunity for individual achievement and success than any other country in the world.

I can't honestly see how a person can be so completely and utterly stupid as you and say you hate this country.

You don't like what you've been blessed with? Shut the fuck up and get the fuck out, you buttfucking traitor.

Subject: Re: OT: It's now illegal to annoy someone online

Posted by [Lijitsu](#) on Tue, 10 Jan 2006 21:59:09 GMT

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Hydra wrote on Tue, 10 January 2006 16:33sloth4urluv wrote on Tue, 10 January 2006 09:55Yeah our government is pretty dumb.

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I really hate this country sometime.

So why the hell are you still here, you slimy little hypocrite?

Just to annoy the shit outta you.

Subject: Re: OT: It's now illegal to annoy someone online

Posted by [Renx](#) on Tue, 10 Jan 2006 22:55:37 GMT

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I suggest you two state your names before you take this any further

Subject: Re: OT: It's now illegal to annoy someone online

Posted by [xtaro](#) on Tue, 10 Jan 2006 23:01:54 GMT

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ya know, this whole topic is getting annoying *grabs pen and pad* names please.
