

Posted Tuesday, March 3, 2009 by Todd Daugherty, N9OGL, at blogspot.com and nimbusters.org

This is the actually letter from my understanding, there is rumoured that I wrote the letter, the truth is I had been at work all day, and secondly If either side of this little war thinks that this is "fake" then continue what your doing and see what happens, me I could really careless about 14.275 MHz.

GOOD LUCK IN THE CONTEST!!

Normally I would not get involved in what on the surface appears to be a "he said/she said" type of dispute. I am not going to comment as to who was on air first on Sunday -- but both sides are advised that I have tapes of the entire afternoon -- and these tapes did not come from either side (at this point I wouldn't trust a single thing given to me by either side -- as both sides have proven to be so intent upon proving that they are "right" and the other side is "wrong" that they will do and say just about anything to further their cause -- however warped that cause may be). I do feel, however, that some guidance is necessary (that and the fact that I have just about reached the end of my rope with all the players in this little drama!).

Randy -- I don't particularly like what Karol says on the air -- but that does not mean that you (or anyone else) has the right to try to drive him off. I have spent hours listening to tapes (hours that I will never get back, mind you!) and to tell you the truth, even if I did have jurisdiction over Karol (which I DO NOT) nothing that I have heard thus far rises to the level of an actionable complaint. For future reference, in determining what is or is not legal over the air, it depends on what he is saying. The FCC regulates obscenity . . . but general cursing and references to body parts (while certainly obnoxious) does not necessarily rise to the level of obscene speech. Likewise, calling the President names and making general anti-American comments (including comments regarding wishing the terrorists would attack us again and the like), while a sure sign of a lack of sensitivity (not to mention maturity), does not rise to the level of obscene or hate speech either.

Indeed, were Karol an American, his speech would fall squarely under the 1st Amendment -- you know that thing many of our forefathers fought and died for (not to mention our troops overseas right now). When you call yourself patriotic, built within that statement is the acceptance of the Constitution and all it entails -- free speech is one of the cornerstones of that fine document. It doesn't mean only the speech YOU agree with; or only the speech that the majority of folks agree with; or even only speech that isn't offensive to most mature, rational adults. It means ALL speech -- the good, the bad, and yes, even the ugly (as Karol is quite often want to spout). (Ok, before you decide to shoot back at me -- yes, there are some types of speech that are restricted. No shouting fire in a crowded theatre or hate speech -- but those are clearly defined by the courts and nothing Karol has said thus far falls into those categories.)

I have requested that Karol tone down his "act" -- (and if you don't get that it is an "act" -- you missed the whole point of his exercise with you and your buddies at 14.275. He is TRYING to incite you -- and succeeding admirably as you all have fallen into the trap.) However, I can promise you that he will/has not responded favorably to my request. He is going to continue the "act" -- and you guys thus far have demonstrated that you are going to continue falling into his trap. What does that say about the cognitive abilities of the Americans as they are all being led around by a master manipulator.

I sure wish we could regulate stupidity -- but it just isn't within the current confines of the rules. If it were, every single one of the actors here would be slapped with a fine just for being stupid/gullible and wasting my time (not to mention the years that Riley wasted trying to bring you guys back in line). What is within the confines of the rules, however is that fact that I can (AND WILL) enforce the rules against any Americans who cause harmful interference to Karol (and any of the folks who elect to engage him in QSOs). Let me repeat that so everyone understands it --
RETALIATORY JAMMING WILL NOT BE TOLERATED AND IS IN VIOLATION OF THE RULES!

I hope you all got my message here -- I have just about had it with the juvenile antics on the part of the American licensees. By the way, playing bulletins and tapes of a deceased licensee repeatedly in an effort to tie up the frequency so that Karol (and others) cannot use it actually does rise to the level of malicious interference -- and is subject to a possible enforcement action. Likewise, I won't even go into the ridiculous sound effects, endless playing of music, and general pre-pubescent behavior that quite a number of folks engage in on a daily basis at 14.275 -- again, all in an attempt to prevent Karol from engaging in QSOs. It needs to stop and needs to stop right now!

Can you tell I'm pissed? If you haven't yet figured it out let me clue you in here -- this behavior either stops now or everyone involved will find themselves on the receiving end of enforcement letters. This is an absolute disgrace -- I know kindergartners that have shown a higher degree of maturity than the whole bunch of you!!

Laura

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