



LIBERTY TREE

Vol. 11, No. 10 — October 2009



PROMOTION!

October 4, 2009 will mark five months since Liberty Works Radio Network began broadcasting its Freedom-oriented programming over the airwaves of central Florida and across the internet. And we are pleased, as all of you should be too, of the progress we've made so far. In last month's Liberty Tree, we told you how some of our hosts have even scooped the mainstream media on stories of interest to Patriots.

Liberty Works continues to add new hosts to the lineup. Most recently, Jim Long with his *Operation Firewall* show (10 pm - midnight Eastern, Saturday), Michael Benoit with *Tyranny Busters* (9 to 10 pm Eastern, Monday through Friday), and *The Bobby D Show* (7 - 9 am Eastern, Mondays through Friday). You can find out more about these gentlemen on the LWRN website (www.lwrn.net), but most of all, we encourage all of you to tune in and listen to them, as well as to all our other fine hosts. If you're not in the Central Florida area, and can't receive WIFL (The Eagle 104.3 FM), then go to the LWRN website and listen online. Even more importantly, encourage everyone you know to do the same. And don't forget to **call in and talk to these hard-working hosts, too.** Let them know that

people are listening, and appreciate the work they're doing. If you disagree with them on some issue, then call and take them to task about it. After all, that's what talk radio is all about — the opportunity to freely exchange ideas on topics of interest to the public. The give and take between hosts and callers keeps talk radio lively, and gets people to listen. And the more they listen to LWRN, the more their understanding about individual liberty and limited government will increase.

Yes, exciting things are happening at Liberty Works Radio Network, and while we're pleased with the progress we're making on the broadcasting side of things, we continue to struggle financially. The money from membership renewals, pledges, and hosts' broadcast fees, necessary to meet our operating expenses each month are often slow coming in, keeping us constantly on the edge, wondering whether we will make it through. Of course, we realize that the present state of the economy is hitting everyone hard, and that we're not the only ones struggling



LWRN host Bobby D.

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A principal was nearly jailed for contempt of court because someone else prayed at a school event. Though found not guilty, he still is enjoined from allowing prayer at school — under an order he signed himself. How did this happen?

LESSONS
LEARNED

Pensacola, Fl. — On September 17, after an all-day hearing in the Federal District Court for Northern Florida, Pace High School Principal Frank Lay and his athletic director, Robert Freeman, were acquitted of criminal contempt charges arising from an act of prayer. The act was alleged to violate a court order banning Santa Rosa County school officials from leading prayers at school events.

U.S. District Judge M. Casey Rodgers, who had instigated the criminal charges herself "sua sponte"¹ on July 22, also acquitted the defendants.

During the trial, the courtroom was filled with supporters of the defendants, and throngs of people, estimated by one attendee as over 900, waited and prayed in the rain

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1. "Of his or her own will or motion; voluntarily; without prompting or suggestion." *Black's Law Dictionary*, 5th Ed.

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PROMOTION!

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to hang on. So, to all of you who have faithfully supported Liberty Works Radio Network since it began in May, and especially the supporters of the Save-A-Patriot Fellowship during the long battle to get LWRN back on the air, we sincerely thank you! We could never have gotten to where we are today without your help.

One of the problems with general pleas for financial help, such as this one, is that those who are already donating to our cause get to feeling like we are asking for more and more from them. But, that is not our intention here. (Although, naturally we wouldn't want to discourage those who are financially able from increasing their support.) Rather, it's to try to arouse a sense of urgency for the spread of our educational message in those who have been merely standing on the sidelines, and convince them to get into the game, too. Everybody should be able to do something to further our efforts.

Just as many hands make for light work, regular monthly donations of even small amounts by many donors add up to big help. But, even if you're not in a position to donate anything yourself, you can still let people know about Liberty Works Radio Network. Encourage them to listen to our programming, and let them know how they can join LWRN Fellowship. If they don't have access to the internet, give them a promotional DVD so they too can be exposed to what we're trying to accomplish, and convince them that their own interests will be served by exposing as many of their countrymen to LWRN's Truth in Broadcasting as possible, even if they aren't able to listen in themselves. (The bulk price of LWRN promotional DVDs has been reduced to 25 FRNs for 10 DVDs.) Remember, new members are the foundation of the LWRN plan for expansion, and if we don't broaden the base, we can never expand the structure of the network. In fact, without an influx of some new members to counteract attrition of current ones, the present structure is still vulnerable to collapse.

If you are involved in any civic organizations or other clubs, spread the word about Liberty Works Radio Network at meetings. You might be surprised at how many people are ready to get involved. Just con-

sider the turnout for the September 12 march on Washington, DC. With socialized health care on the horizon, with jobs and homes being lost as an increasingly fascistic government takes over banks and other corporations, people are beginning to see that becoming active in the political affairs of their federal, state, and local governments is the only way favorable change is ever going to happen. But the breakdown of our economic system is a two-edged sword. The hardships it produces provides the incentive for activism, even as it makes it tougher for folks to contribute to worthy causes. Unfortunately, since we're still on the decline, waiting will only exacerbate the situation. Therefore, the time to recruit new members and supporters is right now!

Another way you can help promote Liberty Works Radio Network is to forward your email updates from LWRN to your friends, family, and email lists. What's that you say? You aren't receiving LWRN email updates? Then forward your email address to johnkotmair@libertyworksradionetwork.com and get on the mailing list. These updates will keep you informed of the latest developments at Liberty Works, as well as provide you with links to topics of particular interest to Fellowship members. They can be an effective tool for bringing others into an awareness of the dangers of ever increasing government power over our lives and the corresponding decrease of our individual God-given rights.

The bottom line is that the key to the success of Liberty Works Radio Network is, to modify the realtor's mantra, "Promotion, promotion, promotion!" Won't you please do whatever you can to promote LWRN and encourage others to join with us in our epic struggle to save our republic? There won't be any better time. There might never be another chance. Thank you!



LWRN host Michael Benoit..



LWRN host Jim Long.



One of several banners for use as links to LWRN's web site. Anyone can promote the network by posting a banner on their own site. Call 410-857-5444 for details.



BATTLE OVER PRAYER



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outside for over ten hours. Hymns, the Lord's Prayer, and chants were at times audible even inside the court. Marchers circled the courthouse seven times and blew horns *a la* Jericho, and cheers greeted the announcement by Liberty Counsel's litigation team — Mathew Staver and Horatio Mihet — that Lay and Freeman, who had faced up to six months in jail, 5,000 FRNs in fines, and the loss of their pensions, were free men.

Mathew Staver, Founder of Liberty Counsel, said of the case: "I have witnessed the day where someone who blesses a meal would be treated like a criminal—not in communist countries—but in America! This case has made clear the radical agenda of the ACLU—to criminalize Christianity."

Prayer under fire

But how did the charges even come to pass in America, where the First Amendment guarantees that Congress shall make no law "prohibiting the free exercise [of religion]?"² Of course, the answers are many, and a complete analysis is far beyond the scope of this simple article. So let's confine ourselves to the instant case, and see if there are lessons to be drawn from the battle over prayer.

Freeman and Lay were charged for allowing a prayer to be said over a meal in the presence of 20 adult supporters of the Pace High School's Athletic Field House. What law makes such prayer a crime? *None*, and therein lies a hint of the first lesson. The battle began in August 2008, when the ACLU helped "Minor I" and "Minor II Doe" to file a complaint against the Santa Rosa School District, alleging that the school board, superintendent, and principal violated the students' rights by promoting their personal religious beliefs and leading prayers at school events.

Convenience rather than rights

The ACLU has money and time on its side, so rather than defending their rights, the school board, in order to avoid "further costly and protracted disputes," "admitted liability" and "agreed voluntarily" to sign a Consent Decree and Order resolving the case. The plaintiff students were each awarded 1.00 FRN, and a permanent injunction was entered against the parties from, among other things, "promoting, advancing, endorsing, participating in, or causing prayers during or in conjunction with a school event." They were also ordered to "prohibit non-student third-parties ... from offering a prayer, invocation, benediction, or other religious remarks during or in conjunction with a school event."³



Principal Frank Lay, right, standing by Attorney Horatio Mihet, waves to supporters after being found not guilty of a federal contempt charge.

In breath-taking breadth, this judicial order not only prohibits the parties (signatories to the decree) from freely exercising their religion through prayer, it also orders said parties to prevent those *who never agreed* to waive their God-given rights from praying in public.

Such a broad decree is easily "violated," and that's part of the ACLU's political shakedown strategy. On Feb. 20, Michelle Winkler, a clerical assistant, was asked to offer a "thought for the day" at a school district banquet. She asked her husband, who is not a school employee, to offer a prayer, so the ACLU instigated civil contempt charges against Winkler and Lay.

Once in the show-cause hearing, Judge Rodgers' decided, on the basis of the testimony, to instigate criminal contempt charges against Lay and Freeman instead, alleging that Lay had asked Freeman to offer a blessing before a Jan. 28 luncheon at Pace High for supporters of the school's new fieldhouse.

Lesson one, therefore, is easy: don't sign consent de-

2. Ironically, when the Constitutional Convention began to fall apart, Benjamin Franklin delivered his famous speech urging the bickering members to pray, and it was only after they did that the writing of the Constitution went forward.

3. See "Consent Decree and Order," Doc. #94, federal Case 3:08-cv-00361-MCR-EMT. Note: some capitalized words have been herein rendered in lower case.

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crees. Giving away your right to exercise religious freedom is never a good idea. And you can't sign away other people's rights at all.

Fight the legal fight, and resist the temptation that if you sign, the problem will just go away. It won't.

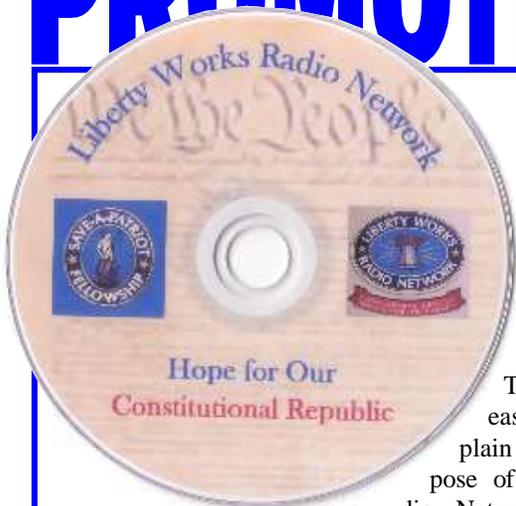
Power of prayer? Or political pressure?

Judge M. Casey Rodgers presided over another case with far-reaching implications; it is she who recently ordered that the federal government can seize and sell Dinosaur Adventure Land, the theme park founded by evangelist Kent Hovind, in order to raise money the feds claimed is forfeit. (See September 2009 issue.) In that case, as well as in this case, where she instigated the criminal charges herself, Judge Rodgers has amply demonstrated her grasp of tyrannical power.

While certainly many were praying for the Hovind case, there were no reports of chanting Christians thronging the courthouse at that trial. Is the issue of theft too complex for Christians? Do they cower when they hear the word "taxes"? Did they simply never hear about it? We leave that to your conclusion.

But one conclusion seems almost inescapable:

PROMOTION!



**Ten DVDs
for 25 FRNs!**

**One DVD
for 5 FRNs**

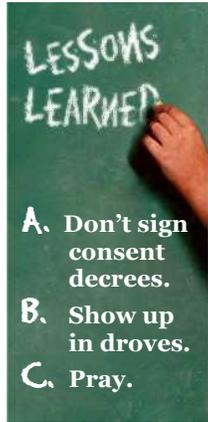
This DVD is the easiest way to explain the value and purpose of Liberty Works Radio Network. Anyone can

join for 99 FRNs a year — just 27¢ a day! Video is accompanied by a promotional flyer, invitation to join, and application for LWRN Fellowship, along with guidelines for you to use in recruiting new members. To order, specify number of copies and "LWRN DVD in your order, and send FRNs or totally blank POSTAL money order to:

**SAPF, P.O. Box 91,
Westminster, MD 21158.**

ANNUAL THANKSGIVING DINNER

You are invited to Save-A-Patriot Fellowship's annual Thanksgiving Dinner — Saturday, November 21, 2009, 7:30 PM — at 12 Carroll Street, Westminster, MD. Please bring a covered dish; the Fellowship will supply the turkey. Call receptionist at 410-857-4441 for details.



- A. Don't sign consent decrees.
- B. Show up in droves.
- C. Pray.

when a thousand people show up to watch a judge, that judge *can* set aside her prejudice and make the right decision. Here, the judge let herself off the hook by finding that neither defendant had the requisite *intent* to violate the order. But what happens next time? Will another vigil need to be held? Most likely so. Despite the ruling, Pace High will always be under ACLU scrutiny, said Greg Pearson, whose daughter is a student. "It's ridiculous and a waste of time the battles they choose," Pearson said. "It takes away from normal school activities."⁴

Thus, the second lesson is also simple: judges are political creatures, and they feel the pressure when crowds demand they do the right thing.

And the third lesson? If you don't know it already, no one can teach it to you. It's the one Benjamin Franklin learned: to *pray*. Because finally, "[u]nless the LORD builds the house, its builders labor in vain." Psalm 127:1 (NIV).



4. Which party wastes time — the ACLU or the principal *et al*?

NEWS FROM ...

Truth Attack

Tea Party² is coming this last week of October! The "Motor March" needs YOU and vehicles dressed up with flags and banners to embark on a 1100-mile, two-week march around the state of Florida, stopping for publicized rallies and one-day seminars.

The Motor March will gather followers and sign up new members for Truth Attack and LWRN. Jacksonville will be the site for the Finale Rally and Truth Attack is aiming for 25,000 people, all raising their voices to take back America. Please visit truthattack.org and get involved.