



March 14, 2017

VIA First-Mail and Email

Mr. Joe Clancy, Director
United States Secret Service
950 H Street, N.W.
Washington, D.C. 20001

U.S. Attorney for the District of Columbia
United States Attorney's Office
555 4th Street, NW
Washington, DC 20530

Chairman Ajit Pai
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Complaint To Arrest, Indict and Prosecute
Snoop Dogg

Dear Gentlemen:

On behalf of Freedom Watch, Inc. and the concerned Americans who work with us, I write to the Director of the Secret Service and the U.S. Attorney for the District of Columbia¹ requesting that they initiate a criminal investigation and legal enforcement action of the entertainer known by his stage name "Snoop Dogg."

Last Friday night, a man jumped the fence at the White House carrying mace in his backpack. The suspect has been identified as Jonathan Tuan Tran, 26, of Milpitas, Calif., according the U.S. Attorney's Office and court documents. In a letter, Tran mentions "Russian hackers" and that he has relevant information. That is, physical attacks on the President are, in fact, being stirred up by an anti-Trump fervor of incendiary incitement.

¹ Presumably, President Barack Obama's appointment for U.S. Attorney for the District of Columbia will soon be succeeded pursuant to normal law and procedure with a U.S. Attorney appointed by President Donald Trump.

Threats against the President, riots, and violent protests are being urged and encouraged by the illegal incitement of an out-of-control news media and entertainment media. The "normalization" and acceptance of incitement and the commission of violence for political purposes is becoming a serious threat to the stability of our nation's democracy. These are not constitutionally protected but are illegal.

18 U.S. Code § 871 specifies that (*emphasis added*):

(a) Whoever knowingly and willfully deposits for conveyance in the mail or for a delivery from any post office or by any letter carrier any letter, paper, writing, print, missive, or document containing any threat to take the life of, to kidnap, or to inflict bodily harm upon the President of the United States, the President-elect, the Vice President or other officer next in the order of succession to the office of President of the United States, or the Vice President-elect, *or knowingly and willfully **OTHERWISE** makes any such threat against the President, President-elect, Vice President or other officer next in the order of succession to the office of President, or Vice President-elect, shall be fined under this title or imprisoned not more than five years, or both.*

(b) The terms "President-elect" and "Vice President-elect" as used in this section shall mean such persons as are the apparent successful candidates for the offices of President and Vice President, respectively, as ascertained from the results of the general elections held to determine the electors of President and Vice President in accordance with title 3, United States Code, sections 1 and 2. The phrase "other officer next in the order of succession to the office of President" as used in this section shall mean the person next in the order of succession to act as President in accordance with title 3, United States Code, sections 19 and 20.

In a video just released and broadcast widely, Snoop Dogg uses a toy gun to shoot a clown made to look like and represent President Donald Trump in a new music video. See: "**Snoop Dogg shoots clown resembling Trump in new music video**," Fox News, March 14, 2017, accessible at: <http://www.foxnews.com/entertainment/2017/03/14/snoop-dogg-shoots-clown-resembling-trump-in-new-music-video.html>

Thus, Snoop Dogg shoots the President of the United States in effigy. In the video for the rapper's song "BADBADNOTGOOD," Snoop Dogg raps about police brutality in a world inhabited by clowns.

But the message is clearly a call to action:

"This is the final call," Snoop Dogg says in the video before pointing a gun at the clown dressed as Trump who is smoking a cigarette. Snoop pulls the trigger and a flag that says "bang" shoots out from the toy gun. Later in the video, the Trump clown is wrapped in metal chains.

So, Snoop Dogg executes the President of the United States in effigy. The message is clearly to threaten the President over policies that he opposes and to encourage the assassination of the President. The message is that in the rapper's view the President must be assassinated:

Snoop Dogg reveals his assassination threat, saying (emphasis added): "I feel like it's a lot of people making cool records, having fun, partying, *but nobody's dealing with the real issue with this f--king clown as president*," he added. "And the s--t that we dealing with out here, so I wanted to take time out to push pause on a party record and make one of these records for the time being.

Furthermore, this video is being widely broadcast by those promoting it and profiting from it:

On October 30, 1984, The Cable Communications Act of 1984 was passed as a further amendment to the Communications Act of 1934. It is codified at 47 U.S.C. § 521.

Under The Cable Communications Act, and other legal authority, the FCC has authority to fine those who broadcast this video for incitement to murder -- which under constitutional analysis is matter "which is ... otherwise unprotected by the Constitution of the U.S."

In Section, 639, codified at 47 U.S.C. §559:

"OBSCENE PROGRAMMING

"SEC.639. Whoever transmits over any cable system any matter which is obscene or otherwise unprotected by the Constitution of the U.S. shall be fined not more than \$10,000 or imprisoned not more than 2 years, or both.

It is well understood that solicitation of murder and/or incitement to violence are not protected speech under the First Amendment. Thus, where the following laws reference speech not protected by the Constitution, that is referencing, *inter alia*, the conduct at issue here.

'The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent. It is a question of proximity and degree.'

Schenck v. United States, 249 U.S. 47, 52, 39 S.Ct. 247, 249, 63 L.Ed. 470, (cited with approval in *Brandenburg v. Ohio*, 395 U.S. 444, 89 S.Ct. 1827, 23 L.Ed.2d 430 (1969) (concurring opinion by Justice Douglas).

As our cases establish from *Schenck v. United States*, 249 U.S. 47, 39 S.Ct. 247, 63 L.Ed. 470 (1919), in which Mr. Justice Holmes, speaking for a unanimous Court, held that the Government has a right to criminally punish words which are "used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent," to

Brandenburg v. Ohio, 395 U.S. 444, 89 S.Ct. 1827, 23 L.Ed.2d 430 (1969), some speech that has a propensity to induce action prohibited by the criminal laws may itself be prohibited. A fortiori, speech and conduct combined which have that effect may surely be placed off limits of a university campus without doing violence to the First or Fourteenth Amendments

Ratchford v. Gay Lib, 434 U.S. 1080, 98 S.Ct. 1276, 55 L.Ed.2d 789 (1978) (dissent to denial of writ of *certiorari* by Justices Rehnquist and Blackmun).


Indeed, threats of violence as part of a group ("enterprise") to gain benefits -- including those characteristically indirect or coded well-established in the context of organized crime -- are prosecutable are prosecutable under RICO, 18 U.S.C. § 1962(c), including when "(1) 'racketeering activity' means (A) any act or threat involving murder, ..." 18 U.S.C. § 1961 Threatening and intimidating the incoming President of the United States to influence him is a threat of violence to achieve advantage, including government largesse worth hundreds of billions of dollars inside the beltway..

"CRIMINAL AND CIVIL LIABILITY

"SEC.638. Nothing in this title shall be deemed to affect the criminal or civil liability of cable programmers or cable operators pursuant to the Federal, State, or local law of libel, slander, obscenity, incitement, invasions of privacy, false or misleading advertising or other similar laws, except that cable operators shall not incur any such liability for any program carried on any channel designated for public, educational, governmental use, or on any other channel obtained under section 612 or under similar arrangements.

Freedom Watch hereby files this formal complaint and requests an investigation by the Secret Service and the U.S. Attorney for the District of Columbia

Sincerely,



Larry Klayman
General Counsel
Freedom Watch, Inc.
2020 Pennsylvania Avenue, Suite 345
Washington, D.C. 20006
(310) 595-0800
leklayman@gmail.com