

Chapter 1 : What does chilling effect mean?

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TVA officials must respond to the letter within 30 days with a plan describing how the work environment concerns will be addressed. Here is the entire letter: As discussed during the public meeting held on March 22, in the RII office MLA , we initiated a review in late at the Watts Bar Nuclear Plant into the environment for raising and addressing safety issues. We began this review in light of information received through our inspection and allegations process associated with the Safety Conscious Work Environment SCWE within the Operations Department and its influence on the safe operation of the plant. Our review includes information received through allegations, inspections, and interviews of your staff over the past few months. The Nuclear Regulatory Commission has concluded that a Chilled Work Environment exists in the Operations Department because of a perception that operators are not free to raise safety concerns using all available avenues without fear of retaliation. We have not identified any serious safety violations or instances involving significant plant safety issues, but the information gathered has led to concerns about the impact the work environment is having on plant operations and raises questions about your commitment to emphasize safety over competing goals to ensure protection of people and the environment. We want to ensure that TVA has a clear understanding of the scope of our concerns and to communicate specific requests and expectations for your response. The NRC defines nuclear safety culture as the core values and behaviors resulting from a collective commitment by leaders and individuals to emphasize safety over competing goals to ensure protection of people and the environment. The NRC has determined there is sufficient evidence to support the existence of an environment within the Operations Department where your employees do not feel free to raise safety concerns to your management because they fear retaliation and do not feel that their concerns are being addressed. Our concern is heightened by information that indicates undue influence and direction of licensed operators from sources external to the control room affected operational performance. We are concerned an environment exists where control room operations may be influenced by management in a manner that undermines licensed senior operator responsibility for directing licensed activities. More broadly, we are concerned that a fear of retaliation exists to the extent that it is impeding open communication within the Operations Department. We have concerns that the current environment is impacting the normal processes designed to identify such issues and effect changes in affected aspects of the site safety culture. Our reviews found that information from the corrective action program, the ECP, and other sources, have provided opportunities for management to identify changes in certain aspects of the safety culture and SCWE, but the information has not been fully acknowledged and acted upon. The NRC considers it vital for TVA to assess the climate at the Watts Bar station, address the root causes that allowed the chilled work environment to exist, and take steps to ensure the staff at Watts Bar are willing to openly participate in the process. In summary, we request that you conduct your own in-depth assessment, and we acknowledge that surveys and evaluations recently conducted or directed by TVA might form part of such an assessment. We ask that you provide your plan of action for addressing this matter to the NRC within 30 days of the date of this letter. Included in your plan we request you: Additionally, we request you promptly notify the members of the workforce of the issuance of this letter. Approximately two weeks after we receive your action plan, we would like to meet with you again to discuss this matter in more detail, so that we may plan for appropriate NRC monitoring and follow-up. In accordance with 10 CFR 2. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction. If personal privacy information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the personal privacy-related information and a redacted copy of your response that deletes the personal privacy-related information. If you request withholding on any other grounds, you must specifically identify the portions of your response that you seek to have withheld and

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provide in detail the bases for your claim of withholding e. If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR

Chapter 2 : The Chilling Effect of Domestic Spying | Worldview Weekend

The Chilling Effect: Why San Francisco Gets So Dang Foggy in the Summer [Interactive] "The coldest winter I ever spent was a summer in San Francisco." Alright, so Mark Twain may never have actually said it himself.

There has been strikingly little such systematic study of such chilling effect claims in various areas of law over the years. Part of the problem is that chilling effects are often subtle, difficult to measure, and require interdisciplinary research and methods going beyond traditional legal analysis. Today, this systematic empirical study has finally begun to take shape. With these, and other recent empirical work, it is now possible to critically assess the chilling effect claims in *Zeran* with more insight and understanding than any time previously. Drawing on this research, including new findings from my own recently published chilling effects research paper, I argue that the Fourth Circuit was right to raise chilling effect concerns in this context but likely wrong about how they would arise. The court did not cite social science or empirical research to support either assertion. Though these two claims are framed slightly differently—one speaks to tort liability more generally while the other concerns liability on notice—the central point of both is that OSPs, when faced with liability concerns arising from the activities of users of their services, will take steps to limit their exposure to liability by restricting those activities. Put succinctly, the OSP, through its liability concerns, is the main source for any chilling effects on internet speech. Or that but for removing liability even on notification, OSPs would have taken steps to limit and thus chill speech? As with the defamatory content in *Zeran*, OSPs in the *s* faced liability for copyrighted materials users posted on their services without authorization. In other words, the DMCA has, in ways, created the counterfactual regulatory state of affairs to test the chilling effect claims in *Zeran*. On this count, the Fourth Circuit in *Zeran* was right to raise chilling effect concerns, but was wrong to predict that OSPs would pose the real threat to speech. There is certainly some evidence on this count, but the case is largely circumstantial. Google, for example, removes websites or content either fully or partially in response to DMCA takedown notices in 98 percent of cases. Wordpress reports removal in 61 percent of cases. Those rates are not necessarily a problem by themselves, though when combined with studies that have documented substantial percentages of invalid or problematic DMCA notifications—like this study by Jennifer Urban, Joe Karaganis and Brianna Schofield finding that 30 percent of DMCA notices had potential problems—then these rates and anecdotal instances may suggest OSPs are opting for removal, and thus speech restrictions, to avoid liability. But this is not the end of the story. This is among the key findings I discuss in my new chilling effects research paper, published earlier this year, based on an empirical case study from my doctorate at the University of Oxford. The study involves an original first-of-its-kind survey, administered to over 1, U. In other words, there was a clear chilling effect. This is important as under the DMCA, and similar liability-on-notice regimes, the user posting the alleged illegal content, in addition to the OSP, receives a copy of the legal notice. These findings offer insights into the impact these legal notices, and the legal threat therein, have on individual internet users. There were similar findings suggesting a chilling effect on other activities beyond speech, including online search, content sharing, and social network engagement. I also found evidence of a form of indirect chilling effects where internet users suggested they would be less likely to speak or share when a friend in their online social network had received a personal legal notice for content they had posted online. Years on, in light of new empirical studies on chilling effects, including my own, we are better situated to assess those claims. The court was just wrong on how they would arise.

Chapter 3 : Chilling Effect | The First Amendment Encyclopedia

In a legal context, a chilling effect is the inhibition or discouragement of the legitimate exercise of natural and legal rights by the threat of legal sanction. The right that is most often described as being suppressed by a chilling effect is the US constitutional right to free speech.

The author has declared that no competing interests exist that have influenced the text. Chilling effects , Online surveillance , Government surveillance , Corporate surveillance Citation: Internet surveillance, regulation, and chilling effects online: Internet Policy Review, 6 2. Three references have been added and one minor adjustment has been made to one sentence in the text, post-publication on 13 June Introduction With internet regulation and censorship on the rise, states increasingly engaging in online surveillance, and state cyber-policing capabilities rapidly evolving globally Nye, ; Zittrain, ; Deibert, ; Deibert et al. But just as notions of chilling effects are not new, neither is skepticism about its legal, theoretical, and empirical basis Kaminski and Witov, And while several recent studies have helped provide new insights on chilling effects e. One such gap in research is the comparative dimensions of chilling effects online, both in terms of different forms of chilling effects and their impact across different populations Townend, Chilling effects concerns have also been investigated and pursued in other disciplines like sociology and psychology Kaminski and Witov, Schauer and Solove ; provide the primary theoretical foundation for this case study, which is also informed by leading works on intersecting subject matter such as surveillance Lyon, ; ; ; Zureik et al. This theoretical framework is also informed by, and aims to build on, recent research on chilling effects online Stoycheff, ; Penney, ; Marthews and Tucker, ; Townend, ; PEN America, ; ; Pew Research, a; b; c. Schauer is generally considered the leading account of chilling effects theory Zacharias, More specifically, the survey describes certain hypothetical scenarios and then asks questions to understand and measure how the respondent and his or her legal online activities would be impacted by the regulatory act or issue in question. It offers both comparative and more general empirical and theoretical insights, such as, what sort of state or non-state action would have a comparatively greater chilling effect on user activities and behaviour. The four scenarios, around which the survey is designed, are elaborated in the next section. Case study design and method 2. Chilling effects have also been previously studied using survey methods Barendt et al. Each scenario is described separately to respondents followed by subsequent questions designed to elicit likely behavioral responses to each scenario described rather than basic self-reports or stated attitudes about privacy, surveillance, or regulatory chilling effects. Though they do have limitations. Furthermore, the leading survey-based studies on surveillance-related impact and harms in recent years have all employed hypothetical questions and scenarios: In short, this is a common research technique used in leading privacy surveys with the defined scenarios employed based on extensive literature review. Other measures taken to address validity and reliability are set out in Appendix 1. This survey is structured around four primary hypothetical scenarios. The first 1 primary scenario employed in the survey, much like the laws Schauer largely examined, involves a vague or uncertain statute or regulation enacted to regulate or prohibit an online activity, with a significant penalty or punishment for transgressions or violations of the statute or regulation is traversed or broken. This scenario explores this proposition. Online surveys have previously been used to study cyberbullying and online harassment Cederborg et al. A third 3 scenario is related to the first two, in that vague laws and uncertainties in the legal process are part of what creates a chilling effect, but differs in how the threat of legal penalty is deliveredâ€”here it is delivered personally via legal notice to the individual targeted. This scenario is based on libel chill concerns Renas et al. A fourth 4 scenario primarily concerns a kind of secondary chilling effect in online environments. It is from these responses that any potential or expected regulatory chilling effects are observed. This case study is designed to address this lack of empirical support. In exploring how different regulatory scenarios may deter, inhibit, prevent, or render more cautious or self-censoring internet users in relation to a range of different online activities speech, search, engagement, etc. This is different from instances where specifically targeted content is altered as a result of specific legal concerns e. This form of impact, which Barendt et al. Moreover, consistent with Schauer , the four primary scenarios are employed to

explore any potential impact or chilling effect on presumptively legal activities, that is, activities such as speaking online, searching online, or sharing personally created content online; all activities presumptively legal under US law. This case study, then, is similarly designed to capture chilling effects on presumptively legal activities, not facially criminal or illegal ones. Of course, any research design will be imperfect on this count, as uncertainties in the law and legal process about the legality of certain activities, coupled with the threat of harsh penalty or punishment associated with an activity, can often, as Schauer theorised, be the very cause of chilling effects. Additionally, designing research illustrating chilling effects, that is, what a user would have said or did but for some state or regulatory activity is difficult enough Schauer, ; Solove, This is the concern of chilling effects theory. The dataset thus constituted 1, total surveys. A central ethical concern in this research was ensuring participant confidentiality as this study also deals with sensitive issues and data, such as the legality of certain kinds of online actions. For this reason, extra precautions were taken to ensure data was kept safe, secure, and confidential, including preventing survey software from tracking IP addresses and allowing respondents to complete the online survey anonymously. Another ethical consideration was obtaining the consent of human research subjects. Informed consent was obtained from respondents through the online survey itself prior to participation that consent form can be viewed at Appendix 8. If these hypothetical scenarios lead internet users to be less likely to engage in certain legal activities online or are more careful about how they do so, this is evidence of such regulatory chilling effects. It is predicted that due to regulatory chilling effects internet users will be less likely to engage in certain legal online activities across the different scenarios designed into the survey or will be more careful about how they engage in such online activities. Consistent with Schauer and Solove ; this prediction speaks to potential chilling effects on legal activities online, as indicated by respondents being less willing to engage in such activities, as well as evidence of the stultification thesis, about how chilling effects may also promote self-censorship, inhibition, and conformity, by encouraging internet users to be more careful and cautious while engaging in these activities. That is all approximately true of this sample, except on gender where it is much more balanced, with participants male A slight majority This chart collates and compares the responses. A close third was the scenario where the respondent sees a friend posting online about receiving a personal legal notice warning the friend about the legality of certain online activities. The results suggest corporate surveillance may have the least impact or chilling effects. Here, in the questionnaire, respondents were asked the same question as those in the government surveillance scenario, but with the small change that it was an internet company monitoring online activities instead of the government. A few observations would be helpful here. First, results from both comparisons are certainly consistent with chilling effects theory and all suggesting some chilling effect on the online speech and expression of respondents. The results from the second comparison Figure 2 - involving the three primary scenarios: This would likely lead to a more pronounced chilling effect apparent in the results. And there is probably a good reason why government surveillance appears to have a more chilling effect than corporate surveillance, given that respondents would likely assume that a company is monitoring activity online to protect only a narrow set of corporate interests e. Rather, the response is fairly consistent with, and comparable to, results from the other scenarios, with the findings for the anti-cyberbullying statute suggesting it has more of a chilling effect than corporate surveillance. This, too, might be explained by respondents perceiving action by state authorities to be more of a threat than private entities with only corporate or profit motives. Interestingly, seeing a friend posting online about receiving a personal legal notice warning the friend about illegal activities online e. This chart maps the responses consistent with previous graphs. These results are also consistent with chilling effects theory, with the relatively stronger chilling effect of some of the hypothetical regulatory acts or actions - like government surveillance - likely explained by the aspects of such government monitoring earlier; people would be deterred from certain online search queries assuming government may be monitoring for illegal or antisocial and even non-conforming behaviour, which might suggest future illegal conduct. This scenario had the second most substantial impact after government surveillance. Given that seemed to be the target, it makes sense that respondents would be much more careful about what they search for copyright content , so as not to attract attention or penalty for likewise accessing or following links to pirated material via search. Moreover, consistent with Schauer legal uncertainties about the

legality of accessing or downloading certain content online may be contributing to this subtle chilling effect, apparent in a more careful and cautious approach to activities online more generally, in this case speech. Also, by contrast to online speech in Figure 2 the anti-cyberbullying statute here is, interestingly, a distant fourth with answers almost evenly distributed across the spectrum of possible responses. Online search, as a discrete and non-communicative online activity, would expectedly be far less impacted. That seems to be the case with creative output as well. Questions were also posed concerning the third scenario - the personally received legal notice concerning content posted online - about how likely the respondents would take steps to legally challenge the notice they received if they believed it was wrong or mistaken. Discussion and analysis 5. When examining the chilling effects evidence comparatively, the results also provide insight into what sort of regulatory acts or actions may have the greatest online chilling effects. On a comparative angle of view, scenario three, that is, the individualised and personally received legal notice, containing a legal threat about content posted online, consistently suggested greater levels of chilling effects among respondents across the different scenarios - rendering respondents less likely to speak or write in certain contexts online or more careful about what they say or write online, less likely to share of personally created content online, less likely to contribute to social networks and other online forums, and less likely to spend time on the internet more generally. The individualised legal notice and the government surveillance scenarios both implicate such chilling effects. With individualised or personally received legal notices disclosing legal claims or threats, people would feel specifically targeted and would thus increase the likelihood of punishment or penalty greater, leading to more of a chilling effect as noted in the results. In terms of online speech and online search activities, corporate surveillance also had a chilling effect comparable to, but not as significant as, government surveillance. Results concerning the fourth scenario deserve some additional attention, as this was more of an exploratory aspect of the case study. These findings provide a novel contribution in providing empirical foundations for networked chilling effects; that is, people who simply read, or are made aware of, online regulatory actions are themselves chilled or deterred. There were instances, in fact, where this secondary or networked impact was greater than most others. And as earlier noted, with respect to online search, it may be that respondents understood the legal notice in the hypothetical scenario e. This analysis was done to identify any potential background factors or variables that influence, or have an association with any potential chilling effects suggested by the responses. The core statistical test results for the three primary scenarios analysed are set out in Table 1, 2, and 3, respectively. Two other scenarios analysed - though not extensively as they are more exploratory - was the impact of online surveillance by a private internet company as well as a friend of the respondent internet user posting on a social network about receiving a legal notice about unauthorised or illegal downloading online. Those results are set out in Table 4 and 5, respectively.

Chapter 4 : Abortion pills prosecution could have 'chilling effect' - BBC News

Save. In a legal context, a chilling effect is the inhibition or discouragement of the legitimate exercise of natural and legal rights by the threat of legal sanction. [1] The right that is most often described as being suppressed by a chilling effect is the US constitutional right to free speech.

How often, or on what system, the Thought Police plugged in on any individual wire was guesswork. It was even conceivable that they watched everybody all the time. You have to live - did live, from habit that became instinct - in the assumption that every sound you made was overheard, and, except in darkness, every movement scrutinized. George Orwell, There has been much talk about the chilling effect of mass surveillance. Anecdotal evidence passed on by journalists, security researchers and others whose interests might clash with what the US government has deemed acceptable. A study by Jonathon W. Penney shows searches for certain subject matter have declined in response to the NSA leaks. He also notes that the dip was short-lived, corresponding roughly to the initial Snowden leaks before resuming at their normal pace after a few months. Penney instead focuses on Wikipedia, a site a large percentage of the population uses for research. It also offers far more comprehensive data to researchers than an examination of Google Trends provides. First, unlike Google Trends, Wikimedia Foundation provides a wealth of data on key elements of its site, including article traffic data, which can provide a more accurate picture as to any impact or chilling effects identified. In other words, Wikipedia is both a massively popular medium, but one that is also growing in content and scope. As such, any observed chilling effect would implicate a large number of Internet users accessing Wikipedia doing something wholly legal—accessing information and knowledge in an encyclopedia—and, arguably, such chilled or reduced use would run counter to these Wikipedia use and content trends. Using a month period surrounding the first Snowden leak June , Penney compared the number of visits to "terrorist-related" Wikipedia pages and found a significant drop post-Snowden. The difference in mean values is notable—a reduction of , in the average monthly views for the article after June , which represents approximately a This is more than mean differences found in the Google search terms study before and after June Not that Penney actually examined all Wikipedia traffic during that same period and found a decline, but rather providing a non-chilling effect theory for the drop off. The empirical findings, however, back up the non-empirical. The shifting trend of the data, which in this case is a sudden and immediate drop, is particularly consistent with a chilling effect arising from June revelations. If the outlier data relating to Hamas view counts is excluded, the decline in page views is less sudden e. However, regardless of whether the Hamas data is included, there is still a substantial and statistically significant decrease. The numbers appear to back up the claims of many journalists and researchers in the wake of the Snowden leaks. Glenn Greenwald, writing for The Intercept, adds the anecdotal evidence back into the mix. The fear that causes self-censorship is well beyond the realm of theory. Many of those associated with the Snowden leaks have experienced everything from constant security harassment and detainment at airports to the government actually stopping by the office and destroying computers. The feeling that something may trigger a detainment at an airport or an unseen investigation is always there. There are plenty of writers, researchers and journalists out there treading into even murkier waters -- some of whom have been second-guessing their own efforts since the Snowden leaks, if not earlier. The surveillance is largely passive. The NSA gathers a ton of data and sifts through it, ensuring as many people as possible are caught in its nets, even if most of them are released after an algorithmic examination. The FBI and other DOJ agencies partake in this data haul and local law enforcement agencies are increasing their own use of passive, keyword-oriented internet surveillance. The problem goes much deeper than the NSA and its bulk surveillance.

Chapter 5 : Chilling Adventures of Sabrina (TV Series) - IMDb

The decision to prosecute a woman accused of buying abortion pills for her year-old daughter could have a "chilling effect" on woman and girls in a similar situation, a court has heard.

These investigations are, as we have seen repeatedly, likely to have a chilling effect on protected speech. An investigation, when properly managed, can be limited to a simple inquiry into whether official, punitive action may or should be taken, without subjecting the speaker to an intrusive, chilling investigation. The Supreme Court, in *Laird v. And in Sweezy v. New Hampshire*, the Supreme Court noted: There is no doubt that legislative investigations, whether on a federal or state level, are capable of encroaching upon the constitutional liberties of individuals. It is particularly important that the exercise of the power of compulsory process be carefully circumscribed when the investigative process tends to impinge upon such highly sensitive areas as freedom of speech or press, freedom of political association, and freedom of communication of ideas, particularly in the academic community. In other words, while the First Amendment does not require college administrators to refrain from collecting information, there are some limits to how an investigation may be undertaken. The point at which an investigation crosses from permissible information-gathering to impermissibly chilling is unclear. The standard, according to the U. Lee, the U. Court of Appeals for the Ninth Circuit held that an eight-month investigation into clearly protected speech, coupled with questioning and requests to produce documents, violated the First Amendment. *Gee*, the U. Wade, a bureaucrat complained that the police department was engaged in a cover-up of a dubious commendation of one of its officers, then found himself the subject of an investigation concerning a burglary of a used car dealership—an investigation announced to the public and the press. Although the case was dismissed on other grounds, the U. City of Pittsburgh, a mayor asserted to local newsstands that investigations may follow if the newsstands did not remove offensive content, violating the First Amendment. To employ coercive state power to stifle protected speech, as was done in this case, amounts to an informal system of prior restraint. After a professor filed sexual harassment complaints in response to each article, UAF initially determined that the articles were protected by the First Amendment. The professor appealed, and UAF hired an independent attorney to review the matter—again. The chilling effects from the investigations were palpable. In an interview with FIRE, the editor described how *The Sun Star* opted not to publish an article about sexual assault because of the investigations: UWS, while announcing its investigation, called for an open dialogue amongst its students. As I wrote at the time: That only deters members of the community from having a frank and open discussion. *The Sun Star* and the *Promethean* are not alone. Chilling investigations are not limited to student newspapers, of course. At the University of South Carolina USC, students created a display of posters about campus free speech issues, and were then subjected to an investigation for having done so. People in this country should not have to submit to questioning by a government bureaucrat to justify their beliefs—in this case, the belief that censorship on university campuses is wrong. The basic premise of the First Amendment is that citizens can say what they want with some narrow exceptions without having to fear that a government bureaucrat will knock on the door and, backed by the power of the state, demand an explanation. Chilling effects can come in a variety of forms. Some, like those experienced by students at UWS, involve a fear that continuing to engage in the kind of dialogue that prompted the investigation may result in further charges. Or, worse, students may fear that investigators will use their explanation of the controversy against them. Some subjects of investigations feel it necessary to retain counsel, often at great expense. Others may be required to meet with administrators or other campus stakeholders as part of the investigation, which may be annoying or inconvenient enough to discourage them from speaking provocatively in the future. And, of course, almost every subject of an investigation will have the nagging worry that they will be officially sanctioned, risking their jobs, scholarships, or opportunities to attend graduate school. Not only is there a greater amount of speech they must investigate, but the increase in the number of investigations makes it more likely that the investigations themselves will cross First Amendment lines. Worse, perhaps, by requiring college administrators to embark on fishing expeditions, those offended by any speech can compel administrators to

conduct investigations, co-opting administrators into becoming tools to harass ideological opponents. When it comes to speech, the cost of staying silent may be seen to be far lower than the price and pressure of being subjected to an investigation. The investigation is often the punishment.

Chapter 6 : Bossier Schools Christianity Lawsuit: Rep. Johnson Warns of 'Chilling Effect' - BossierNow

Justice Stewart's prediction, of course, fits precisely the circumstances of the canceled C.B.S. interview. And the chilling effect of the decision on the network does not seem to be an.

I have had the privilege of working closely with Mark Lerner and his Constitutional Alliance for many years. The bad news is the chilling effect creating a surveillance state has on a representative form of government. The chilling effect can be simply defined as the way in which people alter or modify their behavior to conform to political and social norms as a result of knowing or believing they are being observed. The observation can be from physical surveillance, telephone meta data being collected, emails being intercepted and read, search engine requests being maintained, text messages being read and stored, financial transactions being monitored and much more. This paper will examine the chilling effect and provide some empirical data links within this article to show the chilling effect is real. Denial is no longer an option. For years, even decades it has been reported by people inside and outside our government that agencies and departments within our federal government have been spying on citizens and further collecting data Personal Identifiable Information associated with the domestic spying taking place. Many of us who discussed the spying taking place were called conspiracy theorists, tin foil hat wearers, or black helicopter paranoid people: Today we are called realists. The Snowden revelations are unique because of the depth and scope of the revelations and because Snowden had the official documents to back up his assertions. To be fair the NSA has not been the only ones accused of domestic spying. I support the need for our intelligence community, law enforcement, and our military. The culture of corruption is just as infectious as any chemical or biological weapon of mass destruction. Congress has its share of the blame for the domestic spying that has and even to this day is taking place. After all it is congress that has the responsibility of oversight over agencies and departments of the federal government. All too often congress has failed to do what it has been tasked with doing; performing oversight. All are responsible including the public for not demanding better of our elected and appointed officials. Domestic spying is an equal opportunity offender. Typically I would provide dozens of links in an article to substantiate what I am writing. In the case of the chilling effect I am only going to provide three links. The three links provide undeniable evidence that the chilling effect is real and how the chilling effect is affecting our country [http: The chilling effect is quantifiable based on empirical data. People were polled and research has been done. Political scientists, attorneys, law professors, psychologists, sociologists have all weighed in on the chilling effect. In addition to the surveillance state we must not forget that state and federal government has said domestic terrorism is the biggest threat to our country. The Director of National Intelligence lied to congress and the people about domestic spying taking place. It is not me saying he lied; he admitted it himself. A baseball player who lied to congress about using steroids has gone to jail. There is none which is why the surveillance state and the chilling effect are alive and well. Often I am accused of being soft on Christians because of my religious beliefs, which by the way I have made no secret of. The truth is, it is Christians, not Jewish people, Muslims, or people of no faith that have been the ones primarily responsible for the surveillance state we now have in the United States. I have often said that a surveillance state and a free society cannot be reconciled. Never in history has a surveillance state and a representative form of government existed side by side. Church leaders have failed to discuss the surveillance state and how it is consistent with biblical prophecy, especially Revelation Proponents of biometrics including law enforcement and political officials will tell you that using biometrics will control welfare fraud, illegal immigration, voting fraud, crime in general, terrorism, and just about everything else under the sun. Proponents will also tell you that facial recognition technology, handheld biometric devices, CCTV, drones, and smart phones will be the savior for each of us stopping or greatly reducing all types of crimes and terrorism. Biometrics allow for you to be identified truth is biometrics do not identify you " documents such as birth certificates do and tracked in public. We had the biometrics of eleven Russian spies arrested in our country a few years ago and had no idea of who most of these people really were. For Christians there is only one Savior and that is Jesus Christ; not biometrics. In fact, in a sad form of irony biometrics is much like the Anti-Christ; the false answer to all the](http://www.blogger.com)

problems of man. We can agree or disagree on a myriad of issues but we must all agree that a surveillance state and the chilling effect that is a byproduct of the surveillance state are not in the best interest of any citizens regardless of their political ideology. We must each reach deep down inside ourselves to find the courage, strength and wisdom to stand up to and oppose a surveillance state. Think, think, and then think some more about how the chilling effect impacts our right to free speech, freedom to associate with others, right to seek redress, and right to peacefully assemble. The chilling effect created as a result of the surveillance state is a perfect example of the cure being worse than the disease. Just as taking the oxygen out of the air we breathe would kill each of us, the chilling effect of a surveillance state smothers the freedom so important to the survival of our constitutional republic. Mark Lerner leads The Constitutional Alliance, It is a valuable and credible source of information on the use of biometrics as tools for spying on American citizens. Mark frequently is an expert witness to start and federal hearings on the subject. And he works with groups, state lawmakers, members of congress and their staffs and private citizens.

Chapter 7 : The Chilling Effect Of Mass Surveillance Quantified | Techdirt

By FIRE February 15, By David L. Hudson, Jr. Chilling effect refers to a phenomenon where individuals or groups refrain from engaging in expression for fear of running afoul of a law or regulation. Chilling effects generally occur when a law is either too broad or too vague.

Chilling effect refers to a phenomenon where individuals or groups refrain from engaging in expression for fear of running afoul of a law or regulation. Chilling effects generally occur when a law is either too broad or too vague. Individuals steer far clear from the reaches of the law for fear of retaliation, prosecution, or punitive governmental action. Justice Felix Frankfurter referred to the chilling effect in his concurring opinion in *Wieman v. Updegraff*, a case involving a loyalty oath imposed on teachers. In that opinion, Justice Frankfurter declared: Vague laws produce chilling effects because individuals do not know exactly when their expressive conduct or speech crosses the line and violates such rules. However, the law failed to define either term. Writing for the Court in *Reno v. The vagueness of the CDA is a matter of special concern for two reasons. First, the CDA is a content based regulation of speech. The vagueness of such a regulation raises special First Amendment concerns because of its obvious chilling effect on free speech. Vague laws are not the only ones that can cause chilling effects. Overbroad laws and laws that impose a prior restraint on expression also can chill expression. Justice William Brennan referred to this in his dissenting opinion in *Walker v. Sullivan* created a new rule for allegedly defamatory statements about public officialsâ€”the actual malice ruleâ€”in order to combat the chilling effects that many state libel laws had on free expression. A law that made the media and individuals liable for every false statement would have palpable chilling effects and dampen political discourse on important public issues. Additional Reading Bickel, Alexander. *The Morality of Consent. Chilling Effect in Constitutional Law. Unraveling the Chilling Effect.**

Chapter 8 : Chilling effect - Infogalactic: the planetary knowledge core

News US news World news Environment Soccer TV & radio Stage Classical Games Lifestyle But the more concerning dimension is the attendant chilling effect on freedoms of political discussion.

These are people in families with at least one non-citizen, and receiving one of the named benefits. In both cases, the large majority of the impacted kids are U. The report has been released by the Fiscal Policy Institute, an independent, nonpartisan, nonprofit research and education organization committed to improving public policies and private practices to better economic and social conditions. Dyssegaard Kallick said many families would very predictably be frightened and confused by the rule. He said these are people in families with at least one non-citizen, and receiving one of the named benefits. Parents who apply for health care coverage or food support for which they are qualified will feel like they risk being separated from their children. Nor would it apply to people born in the United States. FPI modeled three scenarios: The economic impact would vary depending on the overall state of the economy, but in a recession, when the programs have their biggest positive effect, up to , jobs could be lost. Click here to read the Fiscal Policy Institute report. They say such a rule change would punish undocumented immigrants who want to seek legal residency if they ask for benefits for their U. Anaya pointed out that the proposed rule change does not require congressional approval. He said the Department of Homeland Security could begin to apply the new rule after a public comment period. The Valley Interfaith leader said he does not yet know what method the federal government will use to enact the rule change. However, he said Valley Interfaith is planning to ask supporters to oppose the rule. Other immigration attorneys in the Valley said they have received calls from concerned immigrants about the proposed rule change. The benefit is for the American children, not for the foreign parents on whom the Trump administration is basing its punishment. It has no legal basis from my point of view. As long as the child is American, he has that right. For much of our U. Trump has repeatedly expressed his desire to severely limit the number of immigrants sponsored by family members, something that Congress and the American people have rejected. We recognize that our economy will require more immigrant workers in the future to maintain the momentum toward continued prosperity. But our family-based immigration system should not be perverted merely to line the pockets of employers with the funds to sponsor foreign workers. Let those who have been here, paid taxes, want to work and want to be citizens have a chance to be good Americans. They may be better Americans than we could ever be. Every year, about , new Texan Green Card holders are approved, and hundreds of thousands more are waiting their turn. Of equal concern, said Ann Beeson, CEO of the Center for Public Policy Priorities, the proposed rule would also strongly prejudice immigration pathways toward higher-income people, and raise new higher barriers to gaining a documented immigration status for prospective immigrants who have lower incomes, a chronic or serious illness, or a disability. The new proposed rule would also dramatically reduce the ability of low-income working parents to pursue lawful immigration pathways to get a Green Card, undermining the U. Among the The Texas organizations opposed to the rule change are: Sowing fear among Texas families “one quarter of our children live in families with an immigrant parent” could cause countless numbers to drop or refuse participation in Medicaid, CHIP and SNAP.

Chapter 9 : Chilling Effect Overview - FIRE

A chilling effect of #MeToo in academic medicine The #MeToo movement has brought down powerful men for allegations of sexual misconduct, but a commentary in a medical journal has found an.