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Calling Bush "Hitler" Is A No No In Colorado High School, As Patriot Act Violations Mount Across Country

High School teacher suspended for anti-Bush comments as 150 students walk out of class in support of teacher's free speech rights. Patriot Act passes U.S. Senate 89-10 as violations of civil rights spread throughout country like wildfire.

4 Mar 2006

By Greg Szymanski

As the Patriot Act flew through the U.S. Senate Thursday by a lopsided vote of 89-10, the fascist screws of a militaristic, thought-controlled society were tightening down in a Colorado high school.

The story received high profile news coverage, as major networks told how an Aurora, Colorado, high school teacher was suspended by the local school district for telling geography students President Bush reminded him and was acting like the Nazi leader Adolph Hitler.

Attempts to contact teacher Overland High School social studies teacher Jay Bennish went unanswered, but his Denver attorney, David Lane, is expected today to file a federal law suit to protect the embattled teacher's first amendment rights.

The incident is another indication of the lock down of free thought taking place in America as even the slightest condemnation of President Bush and his policies is now getting severe retribution with Bennish getting suspended from teaching for supposedly violating school district policies.

Bennish, whose comments were recorded by a student, said he received threats after making the anti-Bush statements which led to him being placed on administrative leave Wednesday while Cherry Creek School District officials investigate, according to district spokeswoman Tustin Amole. The investigation is expected to continue into next week, according to school officials.

Besides being suspended, Lane, his attorney, said Bennish was not permitted to talk to the news media, but has told him privately he was attempting to get students "think critically ... don't just follow hook, line and sinker everything everybody tells you."

Lane also is known for representing the rights of University of Colorado at Boulder professor Ward Churchill.

As the Bennish case drew national attention, more than 150 students at Overland High School staged a walk-out Thursday in support of Bennish's right to criticize Bush, the students claiming free thought should not be stifled by administrative policies.

Bennish's comments in class the day after Bush's Jan. 31 State of the Union address have generated national attention and prompted a discussion of what's appropriate in the classroom.

Lane said Bennish has been devastated by the school district's handling of the case, but case law has shown high school teachers have much less freedom to express their opinions than do their counterparts at the university level.

In fact, a 1991 federal court case ruled K-12th grade teachers do not have an express constitutional right to academic freedom, saying as agents of the school district officials have the right to decide and control the content of speech used in the classroom concerning controversial subjects.

The Bennis case adds another mark against free speech, as illustrated by these other documented cases of free speech abuses:

High School Class Discussion Leads to Terrorist Task Force Interrogation of Two Teens.

Oakland High School teacher Larry Felson has bitter memories about a "dark day" back in May 2003 when Terrorist Task Force agents barged into school and interrogated two innocent high school students.

They had no warrant, no probable cause. But yet agents held students for hours without legal counsel, without parents or teachers present. They held students based on remarks the teens made criticizing President Bush in a classroom discussion about the Iraq War.

The teacher in charge of the discussion thought the statements were a "direct threat", calling the task force into action. But other teachers emphatically said the teacher "rushed to judgment" over 911 paranoia.

They said what is even more disturbing is that a climate now exists were a situation as "fundamental to free expression as a classroom discussion" can result in such fascist-type actions.

"When one student asked agents if they had the right to remain silent, I remember them responding: 'You don't have any legal rights, we own you,'" Felson recalled.

Teacher Cassie Lopez, also stunned by the "Gestapo-like activity," said the teachers union, parents and others who tried to get an official explanation have been stonewalled, essentially given nothing more than a general response: "necessary for national security concerns."

Terrorist Task Force Mistakes University of Buffalo Professor's Art Project for Biological Weapons Laboratory

University of Buffalo art Professor Steven Kurtz also has bad memories about a "dark day" last May when terrorist task force agents barged into his home, confiscated his belongings and held him for two days without legal counsel.

The reasons turned out to be bizarre and frivolous, but not before subpoenas were issued to three friends and a grand jury probe initiated in June to see if the peaceable art professor violated Section 175 of the U.S. Biological Weapons Act.

Of course, the illegal search and seizure, as well as illegal detainment of the professor, was justified by overreaction prompted by 911 paranoia made possible by The Patriot Act. As it turned out, agents mistakenly thought the professor's art project was a bio-weapons lab, but even after realizing the mistake, continued the investigation under the guise of national security.

Simply put, Kurtz is an artist dedicated to education, peace and freedom of expression, everything the Bush Administration diametrically opposes despite its false public image.

Otherwise, how can any sense be made out of what happened to the professor on the morning of May 11, 2004, the day he called paramedics to revive his wife from a heart attack. His wife died the same morning and it was officially found unrelated to anything involving his art project and the terrorist task force.

And a story such as this reveals how things can spin totally out of control when confusing events mix with overly broad governmental powers.

Paramedics, who arrived to revive Mrs. Kurtz, noticed laboratory equipment used in his artwork. Upon suspicion, they called agents who, within hours, rifled through his house, seized his books, personal papers, computer and art work, which to date has not been returned.

Kurtz is well-known in his progressive art community and a member of the Critical Art Ensemble, a group dedicated to exploring the intersections between art, technology, radical politics and critical theory.

His art, displayed nationwide, often involves blending biological and agricultural issues. For example, in 2002 one of his exhibits called "Molecular Invasion" portrayed an exhibit against genetically modified crops with a life-like display of small soy, corn and canola plants growing under large incubator lamps.

One of his other exhibits, trying to raise public awareness against plant and food contamination, allows viewers the chance to see bacteria growing in petri dishes.

"It's a complete fishing expedition,' said his Buffalo lawyer, Paul Cambria. "When they came to his house the FBI found equipment used for extracting and amplifying DNA and three types of bacteria, all used in his art work.

"He is obviously not somebody trying to make a weapon and the equipment seized by agents can be found in any university biology lab as standard equipment. Everything taken in the house has been already exhibited in public."

Two of the Kurt's artist friends served subpoenas, also members of the internationally-acclaimed Art Ensemble, could not explain why the government has pursued this case so strongly.

"It was shocking that the investigation was ever launched," said Beatriz da Costa, one of the artist's subpoenaed. "It just shows how vulnerable the Patriot Act has made freedom of speech in this country. Our art is intended for peace by raising awareness to possible environmental contaminants in our food."

Member of the Art Ensemble suggest the only possible reason for this type of government harassment is its hidden agenda to silence their message displayed through their artwork.

The equipment seized by the FBI consisted of Kurt's latest project, consisting of a mobile DNA extraction laboratory to test store-bought food for possible contamination by genetically modified grains and organisms.

University officials said this equipment is used in school labs, even found in some high school science departments.

The FBI this week was unavailable for comment.

Teen Webmaster Jailed for 1 Year Under Patriot Act Now Released.

A young Los Angeles webmaster made headlines two years ago when he was arrested for operating what the government called an anarchistic website called "Raise Your Fist."

Legal observers said Sherman Austin, 18, may have been entrapped by Terrorist Task Force agents in order to shut down his website. He was considered one of the first casualties of the Patriot Act, his residence raided and ransacked after issuance of a flimsy warrant filled with political accusations.

Sherman was tagged an enemy combatant for his website activities, which turned out to be nothing more than what the government thought to be a radical political agenda.

In this case, the government was able to use the overly broad Patriot Act to stop Austin's activities. Innocuous objects such as iced tea bottles and toy cars were described in legal proceedings by FBI agents as terrorist devices.

Added to the questionable charges was the fact that elementary bomb making information was posted on his server, although court documents show it was not posted by Sherman but by an Orange County teen who was not charged in the crime.

In order to get a stiff sentence, the Prosecution applied sentencing standards under the Terrorism Enhancement Clauses, meaning that Sherman was looking at a mandatory 20 year sentence unless he pled down to a 1 year sentence with three years probation.

Sherman is presently in Los Angeles on probation under terms forbidding him from using a cell phone, computer, or other digital devices. Needless to say, his website has been permanently removed from cyberspace.

Terms of his probation also forbid him from associating with any anarchist groups who the government maintains "advocate violence as a means of disrupting order and achieving social, economic and political change."

Critics said in light of the above travesty of justice the only thing that needs to be changed after reading Austin's case is the Patriot Act itself, not Austin's behavior.

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Greg also has his own daily show on the **Republic Broadcast Network**. Go to www.rbnlive.com and will be starting a daily program on the **Genesis Communications Network** soon at www.gcnlive.com Greg Szymanski is an independent investigative journalist and his articles can be seen at www.LewisNews.com. He also writes for American Free Press and has his own site www.arcticbeacon.com

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