

Threats to School Officials: Free Speech vs. Crime and What To Do If You Are Targeted



Free Speech

Non-threatening speech IS protected by the First Amendment:

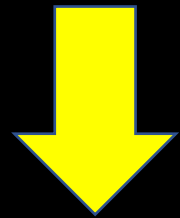
- Posting hate-filled views online
- Calling to voice anger
- Organizing a gathering to promote political views
- Circulating offensive materials

What is NOT protected:

- “true threats”: A serious expression of an intent to do harm to another person

Difference Between Crime and Speech

Hate-filled speech
is NOT a crime!



Protected by
First Amendment
Right to Free Speech

But some
speech
does rise
to the level
of a crime

Words with action that
are crimes:

- Stalking
- Cyberbullying
- Bomb threats
- Lying to police
- Ethnic intimidation
- False report of a felony
- Making terroristic threat

Charges for threats:

| Charge | Max penalty | Requires |
|---|-------------|--|
| Cyberbullying | 93 days | <ul style="list-style-type: none">• posting a message in an online forum• Intending to place in fear of bodily harm or death• AND expressed an intent to commit violence |
| Malicious Use Telecommunications Device | 6 months | <ul style="list-style-type: none">• Email, computer, phone threats• Threats to terrorize by threatening physical harm or damage to property |
| Stalking | 1 year | <ul style="list-style-type: none">• Continuing pattern of harassment• Intending to make someone feel threatened/terrorized |
| Unlawful Posting | 2 year | <ul style="list-style-type: none">• Encouraging others to commit violence toward a person |
| Communicating Threat of Terrorism | 20 year | <ul style="list-style-type: none">• They will do a terrorist act (i.e. politically motivated bombing, killing, etc.) |
| Using Computer to Commit a Crime | varies | <ul style="list-style-type: none">• Must have another crime they are doing with a computer |

What should you do to if you are targeted?

- If you are in immediate danger, always call 9-1-1. Your local police are first responders.

Physical Threat:

- run, hide, fight as a last resort.
- Do not engage if you can help it.

Verbal Threat:

- call the police
- write down the exact threat communicated
- description of perp
- Note what direction they went.

Electronic Threat:

- do not delete it
- print or photograph it
- contact law enforcement

Written or Visual Threat:

- handle it as little as possible
- contact law enforcement
- Note date/ time/ location

Report threat crimes to:

Local Police

Dial 911

Call your local police non-emergency number

Michigan State Police

Your local MSP Post

Michigan Attorney General

Hate Crimes & Domestic Terrorism Unit

313-456-3593

HateCrimes@Michigan.gov

FBI

313-965-2323 (available 24/7);

www.ic3.gov (internet crime)