



Court Halts Imprisonment for Speech

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Left-wing enemies of right-wing freedom of speech, specifically the freedom of speech of Douglass Mackey, recently got their way when U.S. District Judge Ann Donnelly [sentenced him](#) to seven months in prison.

But now, a month after sentencing, another court has said wait a minute.

As I [reported in October](#), Mackey was convicted for actions in 2016 that nobody could have known would later be treated as crimes. The FBI had arrested him shortly after Joe Biden became president in January 2021 — as if waiting for a

favorable political climate for an obviously partisan action.

According to selectively prosecuting U.S. Attorney Breon Peace, Mackey threatened democracy and sought to “deprive people of their constitutional right to vote.”

What attempted deprivation of voting rights? Did Mackey lock people in their homes so that they could not go out to vote? Steal ballots? Glare and scream at people walking toward a voting site?

No, all that this obvious opponent of Hillary Clinton did was publish satirical posts telling Hillary voters to vote by text, much easier that way. Obnoxious, maybe; or silly. But the posts had no power to hypnotize or derange anyone or, for that matter, prevent anyone from double-checking with an election office or Google. And prosecutors brought in no voters who claimed to have been fooled by the obvious jest — which arguably was satire, a jape upon Mackey’s political opponents.

There’s no there there. Nevertheless, Mackey’s liberty has been at risk at least since 2018, when his legal name behind his pseudonymous social media presence [was revealed](#).

It’s still at risk. But the Second Circuit Court of Appeals [has blocked](#) Mackey’s seven-month imprisonment until his appeal can be decided and the free-speech issues properly adjudicated.

This is Common Sense. I’m Paul Jacob.