

1 THE SOCIAL SECURITY NUMBERS. SO, I'M ASSUMING THAT I SHOULD
2 FOCUS MY ARGUMENT ON THOSE FOUR COUNTS.

3 THE COURT: WELL, THAT'S PROBABLY THE FOCUS, BUT
4 THE ALLEGATIONS WITH THE RESPECT TO THE SOCIAL SECURITY
5 NUMBERS AND THAT ALLEGED USE OF THE INTERNET IS A CONCERN TO
6 ME --

7 MS. POTASHNER: OKAY.

8 THE COURT: -- IN ASSESSING THE DANGER TO THE
9 COMMUNITY AS WELL AS SEEING ALL THAT IN LIGHT OF SOME PRIOR
10 CRIMINAL ACTIVITY -- CONVICTIONS THAT ARE NOT FELONY
11 CONVICTIONS, BUT THE PRIOR CONVICTIONS. THE ALLEGATIONS OF
12 THE COMPLAINT WITH RESPECT TO OTHER THREATENING CONDUCT. YOU
13 KNOW, THESE ARE OF, YOU KNOW, RELATIVELY LESSER SIGNIFICANCE.
14 BUT THEN THE DOMESTIC VIOLENCE COMPLAINT IS ALSO A CONCERN.

15 MS. POTASHNER: OKAY. IF I COULD FIRST ADDRESS, I
16 THINK THAT THERE WERE THREE FOCAL POINTS IN THE PRELIMINARY
17 HEARING THAT WAS HELD IN NEW HAMPSHIRE IN CONJUNCTION WITH
18 THE DETENTION HEARING.

19 THERE WAS A FOCAL POINT OF KILLERCOP.COM. AND
20 THERE'S A MENTION OF THAT IN THE AFFIDAVIT SUPPORTING THE
21 COMPLAINT IN THIS CASE.

22 I THINK WHAT WAS IMPORTANT THAT CAME OUT IN THE
23 HEARING THAT'S NOT ON THE FACE OF THE AFFIDAVIT IS THAT IN
24 THAT CASE ON THE BOTTOM OF EVERY WEB PAGE, WITH THE EXCEPTION
25 OF THE OPENING WEB PAGE, THERE WAS A CLEAR STATEMENT THAT

1 SAID -- THAT NOTED, QUOTE, UNQUOTE, FICTION A.D. AND/OR
2 PERSONALITY PARODY.

3 AND IT WAS PRESENT THE -- COPIES OF THE WEB PAGE
4 WERE PRESENTED TO HIS HONOR BACK IN NEW HAMPSHIRE TO SEE THAT
5 THE VERY BOTTOM SAID THIS IS A PARODY.

6 THE OTHER SIGNIFICANT THING I BELIEVE THAT CAME OUT
7 IN THAT HEARING WAS WITH RESPECT TO KILLERCOP.COM, THAT THE
8 AFFIDAVIT ONLY SPEAKS TO PART OF WHAT'S ON THAT -- WAS ON
9 THAT WEBSITE. IT DOESN'T SPEAK TO EVERYTHING. IT TAKES IT
10 OUT OF CONTEXT AND MAKES IT SEEM LIKE A MUCH MORE DANGEROUS
11 WEBSITE THAN WHAT IT WAS.

12 THE AFFIDAVIT DOESN'T MENTION THE FACT THAT IT SAYS
13 THAT IT'S A PARODY. THE AFFIDAVIT DOESN'T MENTION THE FACT
14 THAT ON THE FIRST PAGE WHEN THE WEBSITE IS OPENED, IT SAYS --
15 THERE'S A DISCLAIMER THAT SAYS:

16 "WHILE THIS SITE OFFERS REWARDS AND BENEFITS
17 TO PEOPLE WHO ENGAGE IN LAWFUL CONDUCT TO
18 SUPPORT THIS SITE, THIS SITE DOES NOT ADVOCATE,
19 ENCOURAGE OR CONDONE ANY CONDUCT THAT IS ILLEGAL
20 AT ANY TIME BY ANY PERSON OR ENTITY AGAINST ANY
21 OTHER PERSON OR ENTITY."

22 AND THAT IS REFLECTED ON PAGE APPROXIMATELY 76 OF
23 THE TRANSCRIPT OF THE HEARING. SO, THERE WAS A CLEAR MESSAGE
24 ON KILLERCOP.COM THAT THIS WAS NOT -- THIS WAS NOT A SITE
25 THAT WAS INTENDED TO INCITE PEOPLE TO DO UNLAWFUL THINGS.