



Written by [Patrick Krey](#) on August 19, 2019

Published in the August 19, 2019 issue of [the New American](#) magazine. Vol. 35, No. 16

---

## Exercising The Right

### The Politicizing of Criminal Prosecutions

You want to believe that the criminal justice system is operated impartially, but every so often we learn about blatant abuses that make us question that notion. One such case entailed criminal charges filed against Iraq War veteran Ben Wassell from Silver Creek, New York. Wassell was the first person charged back in 2013 under the recently passed New York Secure Ammunition & Firearms Enforcement (SAFE) Act. Wassell was arrested by state police for selling firearms in violation of the SAFE act that included prohibited features such as an “illegal” pistol grip, telescoping stock, and bayonet mount. The criminal charges and resulting legal proceedings have turned Wassell’s life upside down. “This whole thing has been hell for me and my family. We’ll never get those years back.... I got fired from the job I had when I got arrested. I was also under consideration for a job with the federal government, and I was told I was no longer under consideration because of the arrest. I tried to get back on active duty with the Marines and was turned down,” Wassell told the *Buffalo News* in early July.

The story of a veteran being prosecuted for exercising constitutionally protected rights is upsetting enough, but the most troubling aspect of the story was the overreaching done by the state attorney general’s office to intervene in the case for obvious political reasons. New York Attorney General Eric Schneiderman inserted himself into the ordeal and took over the prosecution from the district attorney’s office in the rural county where the alleged crimes occurred. Some observers argued that Schneiderman felt that a district attorney from a pro-gun rural county would be too easy on the military veteran. Wassell was prosecuted by the State Attorney General’s Office in 2014, convicted on three charges, and sentenced to probation, but Wassell’s attorney appealed the conviction. The appeals process can sometimes take years, and it did in this case. In the years that followed, Schneiderman, who was so anxious to score brownie points with the anti-gun Left by prosecuting a war veteran, would later be accused of sexually abusing multiple women and resign in disgrace within three hours of the allegations being made public.

The appeal was ultimately successful and WGRZ reported on July 8 that Wassell’s convictions were overturned based on the grounds that Schneiderman lacked the jurisdiction to prosecute the case.

Schneiderman’s successor decided not to appeal this decision, so Wassell’s case was dismissed, meaning that he is now a free man with a clean record. Second Amendment advocates were grateful that Wassell was exonerated but disappointed that the underlying legal arguments against the SAFE act were not going to be appealed to the U.S. Supreme Court where, they hoped, the draconian gun-control law would be ruled unconstitutional.

It was widely known that Schneiderman had long been positioning himself for a run as New York governor, and the role of attorney general had been used by prior politicians as a springboard to higher office. An editorial in the *Observer* from Dunkirk, New York, put it best when its author wrote, “The full weight of the government must be used only in the most serious of cases. Schneiderman’s insistence on interjecting his office in what was essentially a local prosecutorial matter is chilling.... It is good that the court reiterated that political witch hunts have no place in our courts.”



Written by [Patrick Krey](#) on August 19, 2019

Published in the August 19, 2019 issue of [the New American](#) magazine. Vol. 35, No. 16

---

## Dip in the Pool

In a scene reminiscent of a violent Hollywood film, officers responding to a home break-in found the bloody body of a deceased suspect floating in a backyard pool. KCBD reported out of San Diego on July 16 about the incident where a son came to the aid of his father and dispatched a dangerous home intruder. Police are still investigating, but they do not believe the deceased suspect and the family at the home knew each other. The *San Diego Union-Tribune* reported that the family told investigators an intruder had broken in to their house and attacked the father, stabbing him multiple times in his upper body. The man's 20-year-old son witnessed this attack and responded by grabbing a loaded gun and firing at the suspect, hitting him several times. The wounded attacker fled the home, but did not get far, as he collapsed into the backyard pool. The father was transported to a nearby medical facility and is reported to be in stable condition.

## YouTube Targets the Second Amendment

Ammoland.com reported on July 16 about the most recent iteration of efforts by CEOs to further the agenda of the gun-control lobby. YouTube, which is owned by tech giant Google, is now attempting to demonetize channels that feature guns, even if the videos do not violate the platform's terms of service. The YouTube Partner Program is designed to encourage YouTube contributors, popularly referred to as "YouTubers," to create popular content that YouTube can post advertising on and share the revenue with the content creator. A YouTuber with a popular channel whose videos get a lot of views will be rewarded by being able to share ad revenue from the ads featured on his videos. Some YouTubers are so successful at this they are able to make a full-time living just from their YouTube channel. But this program has now been overhauled to prohibit people who produce content featuring guns from sharing in ad revenue, which "demonetizes" their channel. One such content creator who featured guns was called "The Honest Outlaw," who posted a video after the demonetization and stated that Google would never let him back into the program and that the tech support refused to give him a clear answer on why he was demonetized.

Other YouTubers have reported similar experiences, in which their channels were quickly demonetized with no explanation. This is just another example of a growing trend where unaccountable corporate forces in the world of technology and finance are working together to pass a gun-control agenda that has stalled at the ballot box. Defenders of the Second Amendment need to wake up to this non-government threat posed by corporations.

— Patrick Krey



Written by [Patrick Krey](#) on August 19, 2019

Published in the August 19, 2019 issue of [the New American](#) magazine. Vol. 35, No. 16

## Subscribe to the New American

Get exclusive digital access to the most informative, non-partisan truthful news source for patriotic Americans!

Discover a refreshing blend of time-honored values, principles and insightful perspectives within the pages of "The New American" magazine. Delve into a world where tradition is the foundation, and exploration knows no bounds.

From politics and finance to foreign affairs, environment, culture, and technology, we bring you an unparalleled array of topics that matter most.



[Subscribe](#)

### What's Included?

- 24 Issues Per Year
- Optional Print Edition
- Digital Edition Access
- Exclusive Subscriber Content
- Audio provided for all articles
- Unlimited access to past issues
- Coming Soon! Ad FREE
- 60-Day money back guarantee!
- Cancel anytime.