

LETHAL ASSAULT

Chapter 1

By Mark J. Huber

MADVERTISING RAGE

Mobile Electronics, the Automotive Aftermarket, and COMERCIAALLY INSPIRED ACOUSTIC VIOLENCE

**“Upright citizens are hiding their children. Closing their windows.
And running for cover. Because SONY MOBILE presents the 2001 XPLOD line.
New XPLOD Subwoofers will shake local buildings off their foundations.
New XPLOD Amps will recombine your DNA. A new MP3 player that gives you
a fresh opportunity to upset your elders. So go ahead.
Disturb the Peace with SONY MOBILE.”**

SONY

1

Advertisements to niche markets are so precisely targeted one would not expect a second-hand effect on the public at large. The lucrative science of marketing influences the purchasing behavior of target demographics not by featuring the practical qualities of a product, but by linking the product to some ideal or fantasy. Benjamin R. Barber, in his book *Jihad vs. McWorld*, notes that “40 percent of all shoes sold are already athletic shoes” and goes on to write “this is a consequence of a lifestyle choice arising out of the manipulation of emotions linked to sports and winning rather than to the satisfaction of needs linked to walking and shoes.”² While the degree of advertising’s influence over consumer’s spending habits are measured in dollars and cents, little attention has been given to influence of other behaviors—how a targeted demographic would treat its neighbors for instance. The objectives of modern sales efforts have been described as to “reinforce a broader hedonistic frame of mind which is directly at odds with the bourgeois doctrine of **deferred gratification**.”³ Since the post World War II era, American commerce has been driven primarily by “an immensely competent advertising and promotion industry whose creative elite possess every skill needed to reassure people of their personal right to self-indulgence, [and] to frequent escape from social obligation.”⁴ Such an affirmation of one’s freedom from obligation to one’s community appears in bold print on the spine of PRIMEDIA’s May, 2003 issue of *Super Street Magazine*: **“WE WILL GIVE NOTHING BACK TO THE ACADEMIC COMMUNITY AND WE WILL PERFORM NO PUBLIC SERVICE.”**⁵ The marketing strategies of the Automotive Aftermarket⁶ and the Mobile Electronic industries have devolved to encouraging not only a “broader *hedonistic* frame of mind”⁷ but in fact a broader *sociopathic* frame of mind by affirming as a *civil right* the doing of harm to others with high-powered audio or automotive equipment, to **“send your neighbors running for cover”**⁸ and to use **“weapons of mass destruction”** that “can ruin a whole city block” against communities.⁹

There is a lot of money being made **“disturbing the peace”**¹⁰ and the Automotive Aftermarket and Mobile Electronics industries quietly preempt any hindrances to their agendas with paid lobbyists and lawyers in Washington D.C., and in the legislatures of all fifty states. Consider the following example: In response to car stereo noise legislation

proposed by the people of New York State, the Mobile Enhancement Retail Association (MERA)¹¹ voiced its concern “that organizations seeking to strengthen noise¹² ordinances is on the rise and could negatively impact¹³ the car audio industry.”¹⁴ MERA cites car stereo advertisements that “may be giving noise ordinance activists a reason to the attack the industry.” “There are a lot of advocacy groups attacking our industry as irresponsible. If our ads are being used by advocacy groups against us, we need to clean this up. We have confirmation that CEA¹⁵ is going to back this,” said MERA director Rick Mathies. The ads in question have tag lines such as **"Got Loud? Get Louder;"**¹⁶ **"Hate your Neighbors;"**¹⁷ and **"Shake the Living/Wake the Dead."**¹⁸ MERA has adopted a position statement on manufacturer or retailer promotions: "...promotions should not use symbols, messages or suggest behavior that would adversely affect the industry. Irresponsible promotion could negatively impact the perception of our industry by the public at large and could be used against us by activists or government to regulate our products and activities."¹⁹

These ads do suggest and promote violent behavior and hatred that negatively impact communities and individuals. Yet somehow, Mr. Mathies appears not to have had the slightest thought of those whose lives have been disrupted by the sounds of “boom cars” whatsoever. He seems unwilling to consider that, perhaps, the ubiquity of **"retina detaching"**²⁰ bass in so many neighborhoods might have prompted the rise of the public’s desire to “strengthen noise ordinances.” MERA’s only concern seems to be that their “irresponsible promotion” of potentially dangerous products might cause the public at large to perceive the industry as “irresponsible.”

It is difficult to be sat on all day, every day, by some other creature, without forming an opinion about them. On the other hand it is perfectly possible to sit all day, every day, on top of another creature and not have the slightest thought about them whatsoever. -Douglas Adams.²¹

What Rick Mathies perceives as an “attack” is merely the consequence of irresponsible “viral marketing”²² by his industry that promotes violent use of car audio equipment against innocent people. For many years now the Mobile Electronics industry has kept its role in the disintegration of communities hidden from the “public at large” by advertising in exclusive venues, while car audio enthusiasts²³ continued to **"annoy neighbors"**²⁴ Ω with powerful thumping bass from their boom cars. The patience of citizens and inaction or complicity of civil officials and law enforcement provided the perfect medium for the car audio **"menace"**²⁵ to fester and multiply. Those who dared confront individual noisemakers found that in the case of boom car aggression, the proverbial “soft answer” did not “turn away wrath” but resulted in a renewed assault--the bass being turned up in their faces, the very text of car stereo ads serving as scripts for the aggressor’s spiteful replies: **"Turn it Down? I don't think so,"** accompanied by a vulgar gesture²⁶ or **"Kiss my amp"**²⁷ or SONY’s **"Oh Yeah, Your Silence Disturbs Me."**²⁸ Or Eclipse Audio’s: **"Huh? I can't hear you."**²⁹

When Louise Fryer of BBC World Radio Services asked an employee of a Car Audio and Automotive Aftermarket shop in Richmond, Virginia, if people objected to his booming around town with his car stereo the young man answered in ten words, boasting that people flee from his aggressive noisemaking and at the same time denying that they take any offense: “no, they just roll up their windows and drive off.”³⁰ Sadly, the sociopathic worldview that seems to personify the values of the Automotive Aftermarket and Mobile Electronics industries is common amongst pavement pounding Car Audio Enthusiasts, middle-aged NASCAR dads that rumble through neighborhoods in huge pickup trucks sporting illegal ‘American Thunder’ exhausts, Harley-Davidson riders with earth-shaking ‘loud pipes’ and other noisemakers in the city of Richmond, Virginia and nearby counties. When dealing with noise aggressors, retaliation is a real possibility and therefore, many citizens fear to confront noisemakers directly or to report offenders to the police. Many are the cases where disputes over car audio noise have led to violence and even murder.³¹ And, unfortunately, it is often the case that when noise victims contact local community leaders for help they are receive only lip service or are told that noise assaults are not a high priority issue.

Consider the bold response to the author from Henrico Virginia’s County Manager Virgil R. Hazelett, P.E.: “As the County continues to urbanize, some increase in the level of noise is expected and is unavoidable...the County’s current noise regulations and requirements are adequate.”³² Mr. Hazelett seems to be of the opinion that community noise levels known to be hazardous to human health ‘are adequate’ for some citizens of Henrico County. His words also carry the implication that in Henrico County, Virginia, one should not expect to enjoy sovereignty over one’s property and one’s home as guaranteed by the U.S. Constitution. What Mr. Hazelett is saying, really, is that citizens are obligated to cede a growing share of their homesteads and of their rightful place in the public commons to noisemakers and the commercial interests that empower them. Hazelett’s glib assertion that increasing community noise levels are unavoidable does not hold any water, and his insistence that citizens must expect a noisier future shows little regard for the citizens of the county. When quality is given its rightful priority, in any endeavor, the results thereof will be of good quality; and with proper planning, communities can develop and grow vibrantly while achieving a healthy high-quality soundscape for citizens and for visitors. As a Civil Engineer, Virgil Hazelett should realize as much.

While citizens in communities throughout the United States were wondering whence the strange booming sensations invading their homes, shaking and pummeling their bodies, the Mobile Electronics and Automotive Aftermarket industries were busy with local chambers of commerce and other business leaders, developing an economic dependency amongst local businesses upon the demographic exploited by huge transnational corporations like SONY and Pioneer that manufacture powerful audio equipment and promote the violent use thereof. Before citizens could take measures to defend themselves, the *noise interests* had already developed surreptitious political and economic influence in many communities, while overwhelming or corrupting local health, safety, and law enforcement agencies. Had the industry published slogans such as SONY’s “In your car it’s all about bass, and subwoofers are your biggest allies in

achieving the **sound your neighbors fear**”³³ in local papers, rather than specialty magazines and web sites, the public would have shamed them out of business before they ever got off the ground. What will they think, who have suffered so much, so unjustly, and for so long, when they discover that all the while representatives of the noise industry had been whispering in the ears of the very authorities to whom they had been pleading for relief? And, if by chance, the principals of the Automotive Aftermarket, the Mobile Electronics industry, and their allies who hold positions of civic responsibility, were brought before the public to account for their doings, how would they plea?

Many in the car stereo business fear (and rightly so) that citizens might reach a “freshman lawmaker” that could someday bring the Mobile Electronic industry’s assault on American communities “to a national arena.” In regard to public concern over the Mobile Electronics industry’s invasion (and occupation) of private homes and public properties, and its campaign of Sonic Violence against the defenseless, MERA president Vicky Scrivner has declared that “This could easily become a national issue”, and that “The industry’s position is that noise ordinances shouldn’t just target car stereo systems.”³⁴ The *positions* of industries are merely decisions made by humans; and in free societies humans must account for the decisions they have made. Decisions made by leaders of the Mobile Electronics industry have led to the widespread infringement of the most of fundamental human rights—to be at peace in one’s home and to go about one’s business, unmolested, in the public commons. But when citizens attempt to restore *domestic Tranquility* that is theirs by Right of Constitution, the noise profiteers cry *unfair!* As if they had never considered the risks of engaging in an enterprise that is likely to bring disharmony to entire communities, these entrepreneurs of noisemaking claim that the enforcement of the laws that protect the life quality of every citizen from being trounced upon is, somehow, an unjust intrusion into their business affairs. Ms. Scrivener’s first concern seems to be to prevent a nationwide problem that negatively impacts everything from children’s cognitive development, language acquisition, and learning, to public safety and the Security of the Homeland from being addressed in a national forum.

“Jeff West, owner of Benchmark Auto Sound and Security,”³⁵ says Mobile Electronics magazine “has faced his fare share of noise ordinance problems.” Benchmark Auto Sound and Security is located near Jerome and Springfield, Illinois. Both cities have separate noise ordinances, one of which makes it “difficult” for West’s shop to operate without violating the city statute. “Although the complaints still exist, West’s contribution to community events and charities has helped” and “knowing the ‘movers and shakers’ of the two towns doesn’t hurt either.”³⁶

Mobile Electronics online magazine portrays Mr. West as a victim facing “noise ordinance problems” as if the right of citizens to peace and quiet in their homes, civility is obstacles to the boom-car business that may be brushed aside without a second thought. On the contrary, it is Mr. West, Benchmark Auto Sound and Security, and his clients that have created a *problem* for the citizens of neighboring communities. Mr. West seems to think that he is above having to comply with the standards of courtesy, health and safety in the communities where he does business. He seems to think himself entitled to make a living at the expense of other citizens. In fact, it is easy to imagine, if

Mr. West were in the lawn care business, that for him, leaving grass clippings on the property of his client's neighbors would be a standard practice. West also appears to be proud that "although complaints still exist" he knows "movers and shakers", has spread some money around, thereby putting the issue to rest, while he continues to profit at the expense of those whose rest his clients disturb. Furthermore, West strikes one as being oblivious of the fact that his behind-the-scenes activity is in direct conflict with the tradition of transparency and open debate necessary for sustenance of a working democracy. One can only wonder how widespread such subversive and corrupt business practices are in the United States. That an industry trade publication like *Mobile Electronics Magazine* would openly sanction rather than condemn them, suggests that such corruption is common. At any rate, the citizens of Springfield, Jerome should ask Mr. West about the 'movers and shakers' he claims to know.

Pick a Fight Then Fly

In the Animal Kingdom, aggressive noisemaking declares a deliberate challenge and warns of further violence. Noisemaking is serious business in the natural world—essential to survival, yet always risky. The roaring of beasts that broadcast claims to territory must carry a genuine threat of further violence, for in the natural world territorial claims will be challenged. Male lions, for instance, roar only when they are prepared to defend their territory and big cats that roar while in the territory of other male lions invite attack. There is no place for empty boasting in the natural world!

In order to survive, all animals must, at the first hint danger, choose instantly whether to face a threat ("fight"), or to avoid a threat ("flight"), as there is no time to weigh options when danger is immediate. The so-called 'Fight or Flight response' is common to and takes place in the same region of the brain in all vertebrate animals. This region of the brain controls the fundamentals of survival and is always on the alert for life-threatening events. Any threat - real or perceived - immediately triggers the fight-or-flight response. During this automatic, involuntary response, increased quantities of norepinephrine are released, which in turn causes the adrenal glands to release more adrenaline. The increase in adrenaline causes faster heart rate, pulse rate, and respiration rate. There is also, shunting of the blood to more vital areas, and release of blood sugar, lactic acid and other chemicals, all of which is involved in getting the body ready to fight the danger or run away from the threat. In humans, the sense of hearing provides the first alert and most rapid response to potential danger or violence.

We humans cannot disable our sense of hearing; our ears, thankfully, are always open. Hearing is a permanent process, essential for human survival, in which the brain, in just 5 to 10 microseconds, interprets acoustical signals (as much as 1,000 times faster than the process of vision interprets light energy).³⁷ Before birth, human infants respond to sounds from the world outside of the temporary home of mother's womb. Newborns respond to loud noise with an embracing reflex: extending both arms forward and then together as if to embrace mother, cry out, and then gradually relax. After four to six weeks the embracing reflex is replaced by the startle response—the most complex of human reflexes—in which the child's body instantly switches to a defensive posture. From this

early age the startle reflex functions as *first responder* to danger throughout the human lifespan.

Noise triggers an instinctive alarm in the human mind, and prompts the body to prepare to react to an unknown danger. When this instinctive alarm is repeatedly invoked, it may produce serious physiological damage, and mental distraction. All types of uncontrollable noise can produce stress in exposed individuals. Citizens mired in the effluvia of the Automotive Aftermarket and Mobile Electronics industry must endure frustration and stress, not only from the constant invasion of their homes and bodies by the thumping of boom car and hot-rods ‘mufflers;’ they also must suffer, with patience, the indignity of pleading with members of municipal bureaucracies, and all for naught. For many people, the feeling of helplessness and despair, that comes with the realization that one can neither defend oneself nor move away (neither fight nor fly), and that civil authorities either cannot or will not restore the peace due to a citizen, is overwhelming.

THE RIGHT TO ‘DISTURB THE PEACE’

The selling of the Sonic Bully Lifestyle, high-powered car audio equipment and loud, illegal exhausts, has become a multi-billion dollar industry in the United States. The Sonic Bully’s ethos is, essentially, to provoke fights and then fly, leaving his victims incapable of doing either. Enthusiast-Consumers of Automotive Aftermarket and Mobile Electronics products brazenly assault people from the safe anonymity of their moving automobiles. They boom through neighborhoods, startling, harassing, and disrupting; then fade into the distance to disturb others. In a setting where natural checks-and-balances come into play, such behavior would be challenged immediately, and resolved by an exchange of threats and sometimes by real physical violence or, ideally, in free and civil societies by public courtesy or the rule of law. But civility and the rule-of-law are anathema to the noise industry, for the war of Acoustic Violence against Americans is a big moneymaker for a quiet confederacy of noise-profiteers who, desiring to ensure revenue growth, have abandoned the duty of citizenship to their Homeland and its people. For over 50 years,³⁸ **behind the backs of the American People**, noise-profiteers have been protecting their client’s ‘right’ to disturb the peace; they have tampered with public health and safety legislation, corrupted politicians and law enforcement agencies—thus maximizing profits while diminishing *Liberty and Justice for All*.



“TRIPLE THREAT”³⁹

SEMA, MERA & the CEA



In September of 2002, MERA “seeking to expand its presence in the industry by getting more involved with legislation and noise ordinance issues” announced its plans to collaborate with the Specialty Equipment Market Association (SEMA).⁴⁰ Executive director Rick Mathies, says MERA needs “to be the voice for the industry” and is “looking to partner with other associations, including CEA (Consumer Electronics Association), to get more active in legislative issues.”⁴¹

‘Rightful liberty is unobstructed action according to our will within limits drawn around us by the equal rights of others.’

-Thomas Jefferson

The formation of *collaborative relationships* between MERA, SEMA, and the CEA, reflect the converging interests of the businesses’ that each represents: To acquire as much money as possible by placing as many of their products as possible into as many automobiles as possible—no matter what. In the chapters that follow we will examine the roots of the various industries that came to be represented by these and other lobbying groups. More specifically we shall investigate the culture of entitlement and victimhood that Hot Rod equipment merchants have fostered in consumer-enthusiasts since the early 1950s and the impact of that culture on the fundamental principals of *Liberty and Justice* that enable a people to live freely.

Chapter Two is on its Way!

¹ SONY Mobile Entertainment “Disturb the Peace” campaign. From Noise Pollution Clearinghouse Quiet

Zone. <http://www.nonoise.org>

SONY XPLOD – “Disturb the Peace” Campaign. 2002 Effie Award Winner. (Silver) Category: Automotive Aftermarket Products and Services. Agency: Young & Rubicam New York.

“Xplod burst onto the aftermarket car audio scene in 1999- and by mid-2000 the brand had built a strong reputation for itself in high-cool, high design head units, but remained underdeveloped in the key Speaker and Amplifier sub-categories. In order to establish itself as a player and forget its long-term path of overtaking the industry’s established leaders, Xplod needed to steal share across the category, yet continue to justify a higher average selling price in line with Sony’s premium position. The **Disturb the Peace** campaign with its distinct, irreverent attitude leveraged the equities brand had begun to form in its early successes, and translated them into a distinct identity the target would embrace and help push Xplod to a #2 position in the overall aftermarket car audio category.”

http://www.effie.org/award_winners/winner.fxp?C024

SONY’s **INTENT**: As we realize that SONY’s **intention** in launching the ‘Disturb the Peace’ campaign was to increase its market share and boost its earnings, it is hard to believe that the Principals of the company did not realize that people would suffer as a result. It could be said that SONY’s **INTENT** here is to profit in spite of the fact that people suffer at the hands of consumers using SONY **XPLOD** products as directed in advertisements.

² **Jihad vs. McWorld**, Barber, Benjamin, R.; p 66

³ “**Consumer Society in American History: A Reader**” ed. Lawrence B. Glickman. C. 1999, Cornell University Press. Page 297. “The ‘Work’ Ethic and ‘Leisure’ Activity: The Hot Rod in Post-War America” by H. F. Moorhouse from *The Historical meanings of work*, ed. Patrick Joyce. Copyright 1987 by Cambridge University Press. The portion of the quote highlighted in red refers to a magazine advertisement for Cerwin-Vega: “Instant Gratification: 50 Years of Disturbing the Peace.”

⁴ **Ibid.**

⁵ **Super Street**, May 2003 (PRIMEDIA). The quote; “**WE WILL GIVE NOTHING BACK TO THE ACADEMIC COMMUNITY AND WE WILL PERFORM NO PUBLIC SERVICE.**” Was taken from the spine of the magazine. Super Street Website: <http://www.superstreetonline.com/>

⁶ Aftermarket: Relating to any non-OEM (Original Equipment Manufacturer) automotive part or component. A replacement part manufactured and marketed by any producer other than an original automobile manufacturer. In its hot rodding context, the term aftermarket is most often used to describe performance-enhancing speed equipment. Hot Rod Dictionary.

⁷ **Consumer Society in American History**, p 279. Italics are mine.

⁸ **HARMAN KARDON INTL. (JBL) NYSE HAR.** <http://www.harman.com/>

⁹ **Super Street** magazine, May 2003, page 144. Text highlighted from ALPINE AUDIO ad, “Alpine’s amplifiers are so tough that some people use them as weapons of mass destruction. With 1,800 watts of power, this thing can ruin a whole city block.” From “Aural Pleasure” a review of products displayed at 2003 CES (Consumer Electronics Show) which is sponsored by the Consumer Electronics Association. Other descriptions of products: p, 144 Alpine V12 Amplifier: “help your subwoofers thump like they’ve never thumped before....With this amp, the sound wave will be traveling in no time.” p, 146 Audiobahn Hi-Current Amplifier: “...you’ll burn eardrums instead of esophagi.” p, 148 Boston Acoustics, “...keep you ears bursting like they never bursted before.” p, 150, Coustic: “...giving you the ultimate in defness.”; Kicker, “..your eardrums will not only pop, but they will also bleed profusely.”; p, 152, M.A. Audio, “...automotive block party.” P, 153, MTX, “...can blow the scalp off your head.” P,154, Pioneer, “...amps are like Mike Tyson on steroids. Scary but powerful.” p, 155, Rockford Fosgate “..amplifiers will force your car to shake and move...your car will vibrate like an epileptic seizure.” p, 156, Xsite Subwoofer, “It would be near fatal to get more bass and power than these subwoofers, so go out and see what they can do.”

Note: These car audio product reviews are placed side by side with advertisements for racing equipment. -mjh.

¹⁰ **Cerwin-Vega**, “Baby Boomers”- “50 more years of disturbing the peace.” Website:

<http://www.cerwinvega.com/index.html>

¹¹ **MERA** Website: <http://www.merausa.org/>

¹² **NOISE** [Middle English] Early use of this word included the sense of ‘quarrelling’: it is from Old French, from Latin ‘seasickness’. The sense of development would appear to be from ‘seasickness’ to ‘unease’ to ‘dispute’ to ‘din’. In technical applications, *noise* is a collective term for ‘disturbances

(interfering with the transfer of information)'. e.g. *visual noise* in photography caused by graininess, *video noise* (= snow effect). Oxford Dictionary of Word Histories.

Note: There seems to be a trend towards the more negative connotation of the word *noise* being used more frequently with regard to electronic receptors than the disturbance of humans.--mjh

Noise: defined by the Sticky-Marketing.com monthly magazine:

Noise is a disturbance around the transmission of a message that has the effect of damaging the clarity of the message, communication includes sender's message - encoding - transmission - noise - reception - recipients decoding - recipients understanding. Noise therefore is that which can disrupt the transmission of a message. <http://www.sticky-marketing.net/glossary/index.htm>

Garret Keizer cites a more ancient source in his article Sound and Fury which was first published in the March, 2001 edition of Harper's Magazine:

In those days the world teemed, the people multiplied, the world bellowed like a wild bull, and the great god was aroused by the clamour. Enlil heard the clamour and he said to the gods in council, "The uproar of mankind is intolerable and sleep is no longer possible by reason of the babel." So the gods agreed to exterminate mankind.
--The Epic of Gilgamesh

City called Shurrupak, on the banks of the Euphrates. The gods considered the noise made by man in this city to be intolerable - so they agreed to exterminate mankind. <http://home.comcast.net/~chris.s/assyrbabyl-faq.html#Ellil>

In that account, murderous gods in 6 days and nights set out to destroy the earth and all that dwells upon it in order to annihilate all of mankind. On the 7th day the Flood waters abated, the rain and storm ended and man was gone. Now, on the 7th day, the Sebittu day, ALL the gods "rested", for they could not rest by day nor sleep by night because of mankind's noise on the earth. <http://www.bibleorigins.net/sabbathorigins.html>

FROM ATRAHASIS - Tablet I:

The Atrahasis Flood myth noted that "the reason for the Flood" was mankind's incessant noise or clamor which disturbed the Gods' ability to rest by day and sleep by night.

Enlil heard their noise and addressed the great gods. "The noise of mankind has become too intense for me, with the uproar I am deprived of sleep".

And the country was as noisy as a bellowing bull.

The god grew restless at their racket,

Ellil had to listen to their noise.

He addressed the great gods,

The noise of mankind has become too much,

I am losing sleep over their racket.

Give the order that suruppu-disease shall break out,

<http://www.gatewaystobabylon.com/myths/texts/enki/atrahah1.htm>

League for the Hard of Hearing:

<http://www.lhh.org/noise/facts/health.htm>

We all know the stress created by unwanted sound. Even noise that may not be at hazardous levels to our hearing can make us tense and angry. Consider how irritating the simple dripping of a faucet can be in the middle of the night, let alone more intrusive noises. Studies have found noise to be associated with increased aggression (Donnerstein and Wilson, 1976) and less helpful behavior (Mathews and Cannon,

1975). Numerous articles in major newspapers have reported noise disputes leading to violence and in England, (August, 1995) the Daily Mirror reported that in the previous six years, 16 people or more were murdered or committed suicide due to chronic noise.

¹³ **For information** on the impact of noise on people go the League for the Hard of Hearing Noise Center at: <http://www.lhh.org/noise/index.htm> and at the NoiseOFF library: <http://www.noiseoff.org>

¹⁴ **TWICE**, (This Week In Consumer Electronics), 4/5/2004. MERA Takes Stance On Noise Ordinances. By Staff --
<http://www.twice.com/article/CA408247.html?verticalid=820&industry=Mobile+Electronics&industryid=23103&pubdate=04/05/2004>

¹⁵ **CEA**: Consumer Electronics Association. <http://www.ce.org/>

¹⁶ **MTX Corporation**. MTX CEO Loyd (Wherever there is a fast car with a loud audio system, Loyd Ivey won't be far away.) Ivey, <http://www.atlassound.com/techLib/factoryTour.2.cfm> is Vice Chair of the Consumer Electronics Association. <http://www.mitekcorp.com/culture.cfm>

¹⁷ **Harman International JBL**: <http://www.harman.com/index.jsp> JBL, promotes the violent use of car audio products with the slogan '**Hate Your Neighbors**' was a 'gold sponsor' of MERA's March, 2004, KnowledgeFest, which was held at the Kentucky International Convention Center in Downtown Louisville, KY.

¹⁸ **Cerwin-Vega**. Taken from magazine advertisement, the ad features the image of an Egyptian mummy covering its ears, thus "Shake the Living. Wake the Dead." <http://www.cerwinvega.com/>

¹⁹ **TWICE** 4/5/2004.

²⁰ **MTX 'RETINA DETACHING...'** Full page magazine ad: "MTX AUDIO THUNDER9500...COMING JUNE 15 (2003) TO AN AUDIO SPECIALIST NEAR YOU...HEAD SPLITTING HEART STOPPING EAR SHATTERING MIND NUMBING RETINA DETACHING...O YEAH, TIGHT TOO...see the world's greatest subwoofer"

²¹ Dirk Gently's Holistic Detective Agency. By Douglass Adams. Copyright 1987 Serious Productions Ltd.

²² **Viral Marketing:**

Marketing phenomenon that facilitates and encourages people to pass along a marketing message

http://www.marketingterms.com/dictionary/viral_marketing/

the marketer turns the customers into sales agents."

http://circman.com/ar/marketing_using_viral_marketing/

"..... you have to admire the virus. He has a way of living in secrecy until he is so numerous that he wins by sheer weight of numbers. He piggybacks on other hosts and uses their resources to increase his tribe. And in the right environment, he grows exponentially. A virus don't even have to mate -- he just replicates, again and again with geometrically increasing power, doubling with each iteration:

1

11

1111

11111111

In a few short generations, a virus population can explode.

Below are the six basic elements you hope to include in your strategy. A viral marketing strategy need not contain ALL these elements, but the more elements it embraces, the more powerful the results are likely to be. An effective viral marketing strategy:

1. Gives away products or services
2. Provides for effortless transfer to others
3. Scales easily from small to very large
4. Exploits common motivations and behaviors
5. Utilizes existing communication networks
6. Takes advantage of others' resources

<http://www.wilsonweb.com/wmt5/viral-principles.htm>

²³ **enthusiast**: [early 17th century] 'Religious fervour' late Latin from Greek *enthous* 'possessed by a god inspired.' Oxford Dictionary of Word Histories.

²⁴ **Ω** "Hollywood Sound offers a sub designed to shake seats and annoy neighbors." ...However, in the big picture, this woofer seems to be more about scaring small children and their grandparents than the finer

points of esoteric jazz and classical reproduction. It definitely excels at playing music that's designed to shake your innards around. Heavy boom or hip-hop tracks are just that—heavy.....Too sum it up this is not the sub your neighbors would pick. They'd prefer that you just turn the page....So we should all just follow their advise (wink, wink) because I know that none of you guys out there would want to (nudge, nudge) *annoy* anyone. OOOOWAHAAAAAAAAHAHAHA!!!!!--Review by Brian Smith. Car Audio magazine.

²⁵ **Car Audio Magazine** Apr/May 03. 'MENACE' in large bold yellow print cover.

²⁶ **BOSS Audio**: "BRUTE FORCE NEVER LOOKED SO GOOD" Website: <http://www.bossaudio.com/>
BOSS Audio Systems is a full line manufacturer of mobile electronics equipment. Our company is focused on developing the best price/performance ratios in CD and cassette receivers, power amplifiers, loudspeakers, and signal processors. Cosmetic design is a top priority and BOSS is recognized as a trendsetter in the car audio industry. BOSS Audio Systems is a leading producer of mobile electronics with factories in California, Taiwan, and Seoul, Korea. Our corporate headquarters are located in Oxnard, California. BOSS is one of the top five producers of power amplifiers in the world.

²⁷ **Ibid.**

²⁸ **SONY** Corporation of America. From 'Disturb the Peace' campaign. Website:

<http://www.sony.com/SCA/index.shtml>

²⁹ **Eclipse audio**: text quoted from magazine advertisement. Website: <http://www.eclipse-web.com/>

³⁰ **Listen to the BBC World Wide Radio's Noise Pollution Documentary "The Noisy Ape"** which features recordings of the toxic noise pollution that the Citizens of the counties of Henrico, Chesterfield and the City of Richmond, Virginia are forced to endure:

http://www.bbc.co.uk/worldservice/specials/129_noisy_ape/index.shtml

City of Richmond, Virginia: <http://www.ci.richmond.va.us/index.asp>

County of Henrico Virginia: <http://www.co.henrico.va.us/>

County of Chesterfield Virginia: <http://www.co.chesterfield.va.us/>

³¹ **St. Petersburg Times** - August 12, 1999. **HOMELESS MAN SLAIN AT BUS STOP** By Mike Brassfield: "Early Wednesday, though, police say two young men punched and kicked the 51-year-old homeless man to death when he or someone with him complained about their loud car stereo as they cruised by."

http://www.sptimes.com/News/81299/news_pf/TampaBay/Homeless_man_slain_at.shtml &
<http://aspin.asu.edu/hpn/archives/Aug99/0118.html>

Car With Alarm Blaring Is Shot; Simi Valley Man Held By Gregory W. Griggs LA Times Staff Writer August 11, 2005 <http://tinyurl.com/8za68> "Disturbed by a blaring car alarm in the neighborhood, a Simi Valley man decided to do something about it. Shortly after the incessant screeching began about 10 p.m. Tuesday outside the Yosemite Avenue apartment, the man identified the source of the noise as a white Toyota Camry and shot it. At least three times..."

Loud Music Dispute Leaves 1 Dead <http://tinyurl.com/asfdg> "LOS ANGELES — The LAPD will present to the District Attorney's Office the case of a 34-year-old woman who allegedly shot a neighbor to death because he was playing loud music during the night, police said. Stephanie Falcon was booked for murder after the body of Joshua Von Holder, 29, was found in a Hollywood apartment at 1427 N. Gardner St. about 4:30 a.m. Tuesday, according to the Los Angeles Police Department. Paramedics pronounced Von Holder dead at the scene, LAPD Sgt. Steve Richards said. A witness directed officers to a neighboring apartment where Falcon was arrested without incident, said LAPD Officer Jason Lee. The motive for the shooting appears to be a neighbor dispute over loud music, Lee said."

http://abclocal.go.com/kabc/news/021904_nw_music_murder.html

Police: Central Fla. Man Killed Over Loud Music <http://www.local6.com/news/2548505/detail.html>

"A 24-year-old man in Kissimmee, Fla., was shot and killed after a dispute over loud music playing inside of his apartment, according to Local 6 News. Kissimmee police officers said the victim, Leonardo Jaramillo, was standing outside of his Calusa Apartment front door when his neighbor, Matthew Baillargeon, came over and complained about the music being too loud. A fistfight ensued and Baillargeon was hit in the head with a beer bottle. Investigators said Baillargeon left the apartment and went to Michael Cohen's (pictured, left) apartment. Baillargeon and Cohen returned to Jaramillo's apartment. Another argument started. Cohen pulled out a handgun and began shooting at Jaramillo and his brother, David..."

Police: Neighbor Kills Three Over Loud Music <http://www.local10.com/news/2241623/detail.html>

POSTED: 7:14 a.m. EDT June 2, 2003 'MIAMI BEACH, Fla. -- A neighbor angry over a loud, late-night party armed himself with a gun and sprayed fire into the celebration; killing three people and injuring two others in Miami Beach, police say. When Melania Fondovila, 27, arrived to her birthday party, her husband was dead on the sidewalk. "I will never celebrate my birthday anymore. They took my life from my arms," she said. Police say suspect Kevin Evers (pictured), who lives upstairs, walked down about 4 a.m. and asked them to turn down the music. When they refused, he allegedly went across the street and sat down. When a man approached him, he pulled a gun and started firing, police say...'

Covington man, shot in loud-music dispute, testifies By Jim Hannah, jhannah@enquirer.com

The Cincinnati Enquirer http://www.enquirer.com/editions/2002/06/20/loc_covington_man_shot.html

'COVINGTON — A Covington man shot last week in a dispute over loud music testified against the accused triggerman Wednesday during a hearing in Kenton County District Court. The victim, Douglas Gambrel of the 1300 block of Scott Street stood before a judge with the support of a crutch while describing the events leading up to the June 11 shooting. At one point the middle-aged Gambrel looked at the alleged shooter, 18-year-old Xavier M. Smith of Chicago, and calmly said, "I'll still ask you: Why in the hell did you shoot me?" Police say Mr. Gambrel was visiting a friend at 225 Deverill Street in Ludlow when his friend became irritated at loud music coming from Mr. Smith's car. The friend yelled at Mr. Smith to turn down the music, said Assistant Chief Benny Johnson of Ludlow Police. Mr. Smith turned the music down and left, according to the testimony. Assistant Chief Johnson said Mr. Smith went to his grandmother's home in Northern Kentucky and took a .25-caliber pistol. Mr. Smith returned to Deverill Street about 40 minutes later, got out of his car, walked up to the porch where Mr. Gambrel and his friend sat and pulled the gun. Mr. Gambrel testified he told Mr. Smith to "put the gun away and leave." He said that is when Mr. Smith fired a shot between his legs. "He then opened up," Mr. Gambrel said, "hitting me point blank in the leg."

Assistant Chief Johnson said four shots were fired, and that Mr. Gambrel was hit twice — once in the abdomen and once in the left leg. Mr. Gambrel said one bullet went through his body without hitting any vital organs, but the other bullet is lodged in his leg. He said doctors have told him it would cause more damage to remove than leaving it. Mr. Gambrel said he will walk with a limp the rest of his life...'

Dispute over Loud Music Leaves Two Men Dead. Apparent Murder-Suicide

http://abclocal.go.com/kabc/news/040102_nw_murder_suicide.html "An Orange County SWAT team was called to the scene where two men were shot and killed in an apparent murder-suicide stemming from a long-standing argument over loud music. SAN CLEMENTE — Orange County sheriff's deputies found two men shot to death in an apparent murder-suicide that involved a longstanding dispute over loud music. A Sheriff's spokesperson said that the two men, a Latino in his 20s and a Caucasian in his 40s, were found in the carport of the Baha Park Apartments at 3204 Avenida del Presidente early Monday morning. Neighbors said they heard yelling, then eight to 10 shots. According to reports, there had apparently been a longstanding dispute between the suspect and the victim over the suspect playing loud music in his complex. The younger man shot the older one several times, then turned the gun on himself. Residents of the apartment complex were evacuated until it was determined that there were not any other suspects inside."

Michael Wright, pioneering advocate of the right to quiet is target of death threats and organized hate campaign: <http://members.aol.com/mpwright9/noise11.html> Michael Wright's ground-breaking research of the Boom Car industries marketing and advertising practices and courageously sharing his findings with the public has revealed the industries violent agenda. Mr. Wright's website contains a remarkable collection of advertisements that promote the violent use of high-powered mobile audio equipment against innocent people. This author is thankful to Michael Wright for uncovering the boom car insurgency in the United States and recommends his remarkable website.

The author of this work has been subjected to similar treatment that will be discussed later.

³² **letter** to author from Henrico County Manager Virgil R. Hazelett, P.E. November, 2, 2001. <http://www.co.henrico.va.us/> Mr. Hazelett and other county officials had been given extensive documentation of the deleterious effects of elevated community sound levels to human beings and to the health and development of Children several months beforehand.

³³ **Sony Xplod** Website: <http://www.xplodsony.com/home/>

³⁴ **MOBILE ELECTRONICS: CURRENT ISSUE: May 2003** “Noise Still a Problem for Car Audio” by **Note:** “The industry’s position is that noise ordinances shouldn’t just target car stereo systems.” MERA president Vicky Scrivner seems to be suggesting that her particular industry is being unfairly singled out. This playing of the “victim card” is common throughout the industry. Even the title “Noise Still a Problem for Car Audio,” denies reality, stating the exact opposite of the case. Noise is indeed a huge problem for millions of people and the Car Audio industry has created much of that problem and profited from it.

³⁵ **Ibid.** See Benchmark Auto Sound and Security website: <http://www.benchmarkaudio.com/index.htm>

³⁶ **Ibid.**

³⁷ **Howard Hughes Medical Institute: Channel Protein Converts Vibrations to Electrical Signal.** By David P. Corey, October 13, 2004.

The cells that line the inner ear and convert mechanical sound vibrations into electrical impulses are known as hair cells — named for the tuft of 30-300 cilia, or microscopic hairs, on each cell’s surface. Thin filaments called tip links connect the channels in adjacent hairs, so that when a vibration stirs the bundle of cilia, the tip links are tightened and pull on the channels. Within 5 to 10 microseconds of this motion, channels in the hair cell open and allow ions to enter — the first step in sending a sound signal to the brain.

According to Corey, the rapidity of this response — which is as much as 1,000 times faster than the opening of similar channels in the eye in response to light — indicated to scientists that the channel must respond directly to the mechanical stimulus, rather than relying on a signal from another molecule. The speed of the response was determined more than 20 years ago in the laboratory of HHMI investigator A. James Hudspeth — but since that time, no one had been able to identify the channel protein.

<http://www.hhmi.org/news/coreydp.html>

³⁸ **50 YEARS:** ‘We invite you to experience all the exciting news from the speaker company that has been “disturbing the peace” for over 50 years.’ Dave Froker, CEO, Cerwin-Vega, **Executive Letter** December 2003.

NATIONAL HOT ROD ASSOCIATION (NHRA): In the early 1950’s Speed-Merchants had long been indiscriminately selling noisy racing auto parts to all comers. In 1951 the publishers of Hot Rod magazine formed the NHRA. From then until the present the speed/noise industry has promoted the notion amongst their customers that they were a persecuted minority:

‘ Any historian will tell you that the 1950s also was a turbulent era for racial equality, but NHRA officers made it very clear up front and early that its organization welcomed membership to anyone, regardless of race, religion, or nationality. "Representing a sport against which there has been much unfair criticism and unwarranted prejudice, the NHRA is itself a kind of minority group," they wrote. "It is unthinkable, therefore, that it would permit racial discrimination, religious bigotry, or prejudice to influence, in any way, its principles and ideals."’ <http://www.nhra.com/50th/news/index.html?story=113>

³⁹³⁹ **Hollywood Sound Labs:** text was quoted from magazine ad for subwoofer.

<http://www.hollywoodsoundlabs.com/>

⁴⁰ **SEMA History:** <http://www.sema.org/Main/SemaOrgHome.aspx?ID=50485>

⁴¹ **TWICE** (This Week In Consumer Electronics), 9/2/2002. “MERA Goes To SEMA, Expands Into Legislation” By Amy Gilroy <http://www.twice.com/article/CA241874.html?display=Mobile+Electronics>

Note: The Mobile Electronic or “Boom Car” industry has been tampering with community noise legislation for a long time: <http://www.termpro.com/articles/noiselaw.html>