

# Region

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## Judge rules bitter blogs are online stalking

■ A California woman is ordered to take down her blog, which profiles her ex-husband as a cheating fraud.

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If you think your ex-husband is a lying, cheating, scamming, con artist with no conscience and no soul, you're entitled to your opinion.

But posting warnings about him on the Web amounts to cyberstalking, a Florida judge has ruled.

The case could have widespread ramifications for bloggers like Donna Andersen, of Atlantic City, whose Web site, [www.love-fraud.com](http://www.love-fraud.com), dedicated to "teaching the public to recognize and avoid



**ANDERSEN**

sociopaths," contains profiles of several scamming, lying and occasionally murderous spouses whom Andersen believes are sociopaths, including her ex-husband.

One of her profiles is of Phil Haberman, who claimed to be a Special Forces crypto-linguist but was alleged on several military Web sites to be a fraud and immortalized in the Dallas Observer as "G.I. Jerk."

Haberman married single mother Kristen Rhoad, of California, in 2004 and, according to Rhoad, proceeded to cheat on her, abuse her and her daughter, and claim bogus combat injuries were keeping him from home. Their marriage was annulled in 2005, but that wasn't the end of the story. After the Dallas Observer, POW Network and numerous Web sites claimed Haberman was a con artist and a fraud, he took Rhoad to court in Florida, alleging domestic violence through cyberstalking.

Much to Rhoad's shock, the

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Florida judge agreed — and on Sept. 7 ordered Rhoad to remove her blog, <http://rhead-warrior.blogspot.com>, and all other tales about Haberman that she had caused to be posted on the Internet.

"I'm not taking my blog down," Rhoad said in an interview last week. "It's First Amendment freedom of speech. ... If Phil wants to take me to court here in California and sue me for slander and libel, he can — but everything is verifiable."

She said Florida officials have threatened to extradite her and charge her with contempt of court if the blog stays up.

Andersen said she won't remove her profile of Haberman, either.

"I am not taking the Haberman profile down. In fact, I'll be doing another story, picking up where the previous profile left off," Andersen said via e-mail. "What has transpired over the last few months is shocking to the point of being ridiculous."

Reached by telephone in

Florida, Haberman was not eager to tell his side of the story.

"You are violating a restraining order right now by contacting me, and this call is going to be passed on to the local police and the state attorney," he said, before hanging up abruptly. "Do not contact me again."

According to the Florida Computer Crime Center, Florida law defines cyberstalking as "engaging in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose."

"Florida has a specific cyberstalking law, and if the judge feels her blog fell under that, then he was justified," Jayne Hitchcock, president of the non-profit Working to Halt Abuse Online ([www.haltabuse.org](http://www.haltabuse.org)), said via e-mail. "Judges can't just willy-nilly order people to remove things or accuse them of stalking or cyberstalking. There has to be probable cause and/or evidence. Her blog has her side of the story, with accusations against her ex that seem to be very serious. If they were true, the judge would

not have ordered the blog to be removed."

The allegations are true, Rhoad contends.

And similar charges about Haberman's military record have been leveled by the Dallas Observer, Las Vegas Review-Journal, his former military co-workers and the POW network. Challenged by Haberman, both the POW Network and Dallas Observer publicly said they stand by their stories.

In fact, for people who use the Internet to seduce potential partners with fake information (Haberman bragged on [match.com](http://match.com) and [myspace.com](http://myspace.com) about a Special Forces background that has not been corroborated by the military), the Internet may prove the ultimate vehicle of redress. Even if Rhoad is forced to remove her blog, many of the 270 Google hits for "Phil Haberman" and "fraud" will probably remain indelibly in cyberspace.

"We've returned to the original concept of the public square, but it's a virtual public square now," says Gene Policinski, executive director of the non-profit First Amendment Center.

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