

# California Freedom

June 2004

The official publication of the **Libertarian Party of California**

## Incarceration Costs! A Libertarian Solution

by **Judge Jim Gray**  
Libertarian Candidate for U.S.  
Senate

**B**ased upon my years working in the Criminal Justice System, I have come to realize that we overemphasize incarceration for non-violent offenders. I am not saying that swindlers, burglars, and thieves should not spend a fair amount of time in custody, but long-term prison should be reserved for violent offenders, who have demonstrated that they need to be removed from society.

We need to concentrate more upon strictly-monitored probation that requires accountability and restitution to the victims of the offenses. Today, the victims of crimes are "punished" three times under our present system: the losses suffered by the original offense; being forced to [go] to court several times and testify without compensation; and having to reach into their wallets as taxpayers and pay the cost of incarcerating the offender.

However, I do have a solution. With a program of restitution, everyone benefits. First, all offenders will be required to work and provide 20 percent of their gross income directly to the victim. I believe that this would be a "healthy punishment" for the offenders, [one] which would force them to see that committing a crime has a cost and takes awhile to pay back. If they do not take their obligations seriously, of course, we simply send them back to confinement. We should also ensure that the victims (including the insurance companies) receive payments for their losses. With these two suggestions I am confident that we can lower the costs of crime to the taxpayer. Strictly-mon-



• **Judge Gray spoke on April 20 at a candidates' forum hosted by the LP of Santa Clara County at The School of Choice, a private school founded by libertarians and serving gifted children from grades 4 to 12.**

Photo: Elizabeth C. Brierly

tored probation is much less costly than incarceration, and frequently offers the offenders' families the opportunity to avoid going onto welfare. My

experience tells me that the offender being strictly monitored but not removed from the

• See **Incarceration** page 6

## ■ Campaign 2004

### Look Closely at Nov. Ballot Props

by **Richard Rider**  
LPC Activist

**T**he November ballot is rapidly shaping up as a series of tax increases and bond measures. As reported in *Los Angeles Times* ("To Raise Taxes, Some Pin Hopes on State Ballot Box," by Evan Halper, 3/29), three measures are soon to be qualified—each calling for a tax increase. One of them taxes millionaires an extra 1% of their income; one dramatically raises commercial property tax; and one tacks on a 3% tax to telephone bills.

There will be more such measures qualified by the time we vote in November. We Libertarians will have our hands full fighting these propositions, though I suspect we'll have

some allies in these battles.

Already on the November ballot is the \$10 billion bond for a down payment on the high speed rail boondoggle (total cost will easily exceed \$35 billion). There will



• **Richard Rider spoke at the LPC convention in March**

Photo: Elizabeth C. Brierly

be others—one is a bond for stem cell research facilities.

Also there will be two propositions on casinos. One is sponsored by the Indians, locking in their monopoly. Another competing measure will try to break their monopoly, but would benefit only a few favored race tracks and card rooms.

Depending on what the state legislature does, there will be a proposition that will provide meaningful reforms to the workers' compensation insurance mess. With luck, the "Amend Three Strikes" reform proposition will make the ballot. And there will be one to keep local tax revenues from being drained off by the state.

Finally, of course, there is

• See **Propositions** page 3

## ■ Campaign 2004

### Holtz Bet Covered on Fox News

**F**ox News Channel backed up its claim to the slogan, "We report; you decide," when on May 10 it aired a story on "third party" candidate **Brian Holtz** of the LPC, running for Congressional District 14.

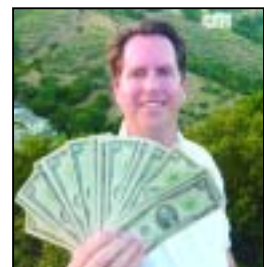


Photo: Melissa Lunn

• **Brian Holtz of San Mateo County bets voters \$2 they will agree with him.**

The story focused on a wager that enterprising Holtz has made with his district's voters. His challenge to them: "Vote against me, and win a free \$2 bill. Vote for me, and win a free country."

Holtz explains, "If you can pass a short quiz on my positions, and still say you won't vote for me, I'll send you \$2." The specific rules of the bet are posted at the Holtz for Congress web site at [MarketLiberal.org/Bet.html](http://MarketLiberal.org/Bet.html).

The Fox News coverage was most likely triggered by Holtz's interview the previous week on KTVU, Fox's affiliate in the San Francisco Bay Area. That interview is viewable at the Holtz for Congress web site: [Holtz.org/Library/MarketLiberal/](http://Holtz.org/Library/MarketLiberal/).

As of May 11, Holtz was reporting that no voter has yet submitted a \$2 claim, adding, "but of course that's because Libertarianism is too compelling for them to make the required promise to vote against us."

Holtz has set a cap of \$5,000 on the pay-outs, although he has indicated he's willing to negotiate. ●

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- September 2004: Due 07.21.04
- October 2004: Due 08.20.04

Advertising orders and artwork are due eight weeks and four weeks, respectively, prior to the month of publication. We reserve the right to refuse advertising.

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## FROM THE CHAIR

**K**udos to the members of the LP of **Butte County**. This county party is emerging from a dormant state. Under the leadership of their chapter's new Chair, **Casey Aplanalp**, the local party is holding meetings, raising money, and recognizing donors and volunteers in their new regular monthly newsletter.

Last year, the state party Executive Committee established requirements for reactivating inactive county parties. Opponents of this decision feared that this would create hurdles to activism. I'm delighted to say that the results have been quite the opposite. Inactive county parties wanting to be formally recognized have embraced the goals and are exceeding the requirements.

I believe people rise to meet standards when they are clearly spelled out. When you set low expectations, you rarely get more than that. Think about

# Everything is Butte-iful

how that's the case in the rest of your life. Would you try as hard in school if you were guaranteed an A? Would your significant other treat you better if you didn't set down what you expected? What level of accomplishment would you expect from an employee at work if his employer didn't set reasonable performance goals?

Standards are uplifting. We should expect more from our candidates. We should expect more from the attendees at local meetings. We should expect more from ourselves.

The model **tax limitation initiative** we created for local cities is generated more and more interest. Positive press has been garnered in **Barstow**. Butte County is planning to undertake such an initiative, and several other people have inquired about the process. Remember, unlike other types of initiatives requiring 10% or 15% of all registered voters to

qualify for the ballot, an initiative to lower or eliminate a local tax, fee, charge, or assessment requires the signatures of a mere 5% of those who voted for governor. So for many cities it would take only a couple hundred valid signatures to possibly save taxpayers big bucks.

Would you like to be a hero in your city? To get the ball rolling as a proponent of a tax limitation initiative, download the package from the web at [www.LPC.org/lpc-tax-freeze.html](http://www.LPC.org/lpc-tax-freeze.html).

The LPC needs individuals to sit on its **Audit Committee** to review the LPC's 2003 financial statements. If you have any experience in finance, reside in Southern California, and are willing to invest a day in your LPC, please contact me. It's not glamorous, but is definitely necessary and will be greatly appreciated!

The LPC Executive Committee will be supporting candidates running serious campaigns. If you are a serious candidate desiring endorsement by the LPC, and for your photo and cam-

paign information to appear on our web site, please contact me.

We're still working hard enlisting pledgers to fund our efforts to place Libertarians into office and to recruit existing officeholders to switch their party registration to Libertarian. Remember, we can only become a significant force in policymaking by getting our people into office or by persuading those already in office to join us.

Finally, I'd like to express the LPC's sincere gratitude to the outgoing Office Manager of our state party headquarters, **Aubri Webb**. She helped us out in fine fashion with a myriad of projects, both in the office and at the conventions, and we wish her great success in all her endeavors. I'm excited that we've found a new part-time Office Manager, whom I look forward to introducing to all of you next month.

Toward liberty!

Aaron Starr, Chairman



## FROM THE EDITOR

**A**lliances and the vestiges thereof can get us into trouble, as we've been seeing with America's conflicts in the Middle East. The Libertarian Party moves in many philosophical circles, often finding giddy agreement with another organization over a vital issue, but seldom finding 100% overlapping values with any one group. Heck, we don't even share 100% overlapping values within the Party.

But there's power in numbers, and the LPC Executive Committee recognizes that. So many people share perhaps just one of our principles at a time, and that happenstance, when carefully considered and well timed, can serve as our recurring, if not eternal, opportunity for alliance with them.

This month we hear from the Coalition Building Committee on activities involving the LP and its one-or-more-issue al-

# Sizzling Summer Synergy

"We have no eternal allies and we have no perpetual enemies.

Our interests are eternal and perpetual, and these interests it is our duty to follow."

—Henry John Temple, Viscount Palmerston, 1848

lies. **Terry Floyd**, the committee's chair, reports on efforts being coordinated in the areas of election procedure conversion from paper balloting to touch screen, of enormous concern to many, and the ballot drive in the City of Berkeley to decriminalize capitalism in sex. We also report on our continuing fellowship with California's Muslim community, gravely and justifiably concerned about the implications of the U.S. conflict in the Middle East, and the jeopardy into which that conflict places them.

In April, we reported on the "Three Strikes and Child Protection Act of 2004," which would amend California's "Three Strikes" law. This effort by **Citizens Against Violent Crime** (CAVC) is another which is aligned with Libertarian val-

ues, since the Three Strikes law has incurred an unintended, exorbitant cost: many nonviolent felons are now incarcerated for life—some of whom lack even victims for their "crimes," e.g., simple drug possession.

I'm happy to report that on April 14, CAVC submitted 700,000 signatures to the Secretary of State, qualifying the measure for the November ballot. Not only did the group collect a record number of signatures, they did so in record-breaking time. "We are indebted to all those who helped in the signature-gathering effort," write the proponents. "We cannot say 'thank you' enough....But we can't afford to bask in the glory of the moment—we must immediately move forward with the campaign to win voter approval of

this important initiative." The proponents say that winning voter approval will not be easy, indicating that attacks from supporters of the original law have already begun. Find out how you can help at [www.Amend3Strikes.com](http://www.Amend3Strikes.com).

With June arrives the summer, and campaign season is heating up. Hear from **Bruce Cohen** about our hot 2004 candidates and their sizzling innovations and solutions, and from **Richard Rider** on how we could get burned if we're not careful with this November's ballot measures.

Toward greater liberty!

Elizabeth C. Brierty, Editor



■ Opinion

# Two Insane "War" Quagmires Trap Fools for Fraud

by Douglas "Art" Tuma  
LP Candidate for U.S. Rep.,  
Congressional District 3

America's special interests, including medical marijuana patients and friends, will join other special interests to advance their common political agendas. It's natural for seekers of drug law reform to join others seeking peace in other wars, such as the conflict in Iraq.

But in seeking peace, we should understand why it eludes us. We should understand the arguments in conflict.

With regard to the drug war, the ballot argument against Proposition 215 stated:

"Consumers are protected from unsafe and impure drugs by the Food and Drug Administration (FDA). This initiative makes marijuana avail-

prises selling alternative products, like marijuana and new drugs. Technically, such investors are also consumers, but it's their market share of consumer demand that is protected by the FDA, not the investor's

**If run by non-governmental organizations, such rackets would be criminal.**

health nor the health of other consumers. In fact, many consumers suffer and die while the FDA withholds many new drugs, as well as marijuana, from pharmacies.

The FDA does not protect consumers from impurities in alcoholic drinks and tobacco, enjoyed by millions of Americans. The FDA does not protect consumers from impurities in prohibited drugs, also enjoyed by millions of Americans. The FDA does not protect consumers from impurities in herbal medicines, bought by millions of Americans free to choose what they want to buy. The FDA does not protect consumers from wrong medical treatment, even fatal mistreatment with drugs deemed pure enough to safely treat patients according to standard medical practice.

Standards of purity and practice do not have to be determined and enforced by a government agency. Quality control of consumer products must meet customer expectations in competitive markets, as evident by marijuana quality improvements without govern-

ment regulation during drug prohibition.

Libertarians see that people making their own choices are happier than people forced by government regulation to live with choices made by the politically influential. Freedom of choice makes consumers happy shoppers.

Libertarians see that government standards favor special interest groups, like corporations, unions, non-profits, and professions, at everybody's expense. The special interest groups opposing Proposition 215 probably were seeking favors, probably job protection, by continued enforcement of prohibition against marijuana use.

Libertarians suspect many promised government protections are rackets. If run by non-government organizations, such rackets would be criminal. Regardless, protection rackets rob victims with false fears. Protection rackets abuse a person's right to be free from fraud.

Ronald E. Brooks, past president of the California Narcotic Officers' Association, included the following statement in testimony he prepared to deliver before the House Judiciary Committee, Subcommittee on Crime:

"During California's general election last November, a fraud was perpetrated on the voters and a cruel hoax was played on the sick. This hoax and fraud was the passage by voters of the so-called medical marijuana compassionate use act, Proposition 215. This ballot initiative exploited public com-



## Welcome Aboard!

In April, 24 Californians joined the Libertarian Party. They include airline pilot Bruce Marquette, attorney Greg Broiles, videographer Mike McCormick, engineer Stephen Cole, Christopher Craven, a tow truck operator, Carlos Durand, a business owner, Kristen Imes, a telecom service rep, and Kevin Takenaga, who's serving as treasurer of the campaign to elect Zander Collier to California State Assembly, District 24. We hope to see each of you soon at a local LP speaker's meeting or event getting to know your fellow freedom fighters.

- Patrick Aleman . . . . . Barstow
- Dean Arbuckle . . . . . Los Angeles
- Sean Armstong . . . . . Mountain View
- George Bandorf . . . . . San Francisco
- Greg Broiles . . . . . San Jose
- Stephen Cole . . . . . Chino Hills
- Stephanie Corey-Civitello . . . . . Redwood City
- Christopher Craven . . . . . Agoura Hills
- Maria Davoli . . . . . San Diego
- Carlos Durand . . . . . Fair Oaks
- Pardis Fatolahzadeh . . . . . Laguna Hills
- Kristen Imes . . . . . Shell Beach
- Alan Johnson . . . . . Novato
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- Ssu Jen Lu . . . . . Pleasant Hill
- Bruce Marquette . . . . . Santa Rosa
- Mike McCormick . . . . . Northridge
- David Packham . . . . . San Diego
- Frank Rebiejo . . . . . San Jose
- Ann Marie Sheehan . . . . . San Jose
- Kevin Takenaga . . . . . Sunnyvale
- Kinsey Tanner . . . . . Atascadero
- Edward Thompson . . . . . Riverside



• Delegates were entertained as Art Tuma announced his region's Pres. straw poll vote, LPC 2004 convention

able to the public without FDA approval or regulation. Quality, purity and strength of the drug would be unregulated. There are no rules restricting the amount a person can smoke or how often they can smoke it."

Investors in alcohol, tobacco, and pharmaceutical industries are protected by the FDA from losing market demand to competitive enter-

**Opinions: Everybody's Got 'Em!**

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## Propositions

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passion for the seriously ill in order to legalize the widespread use and cultivation of marijuana in California."

In my opinion, Brooks's testimony contains misrepresentations of evidence, leading to flawed conclusions in support of continued marijuana prohibition.

• See **Two Wars** page 5

the open primary "top two runoff" measure that would effectively eliminate Libertarian partisan candidates from the November general elections.

All told, November 2004 is shaping up as a full slate of measures of concern to Libertarians. As these measures qualify for the ballot, I'll try to provide more insight about them and perhaps my ballot recommendations. Surely the LPC will be taking positions on these measures, if not actually writing the ballot arguments opposing a couple of these jewels. ●

Richard Rider is a long-time Libertarian activist and president of Economy Telcom, contributing to the LPC based on sales of its long-distance telephone service. He was the LPC's 1994 candidate for Governor, and in 1998 garnered 16% of the vote in his race for San Diego Tax Collector. He can be reached at RRider@san.rr.com.

## Love to Write? Join the LPC Writers' Bureau!

Newspapers need good Op-Ed articles. The LPC will invite newspaper editors to join a weekly distribution list of Op-Ed pieces written by...you!

The focus will be on California politics, with an emphasis on how governmental policies affect small business owners, a core constituency of ours.

We'd like about five great writers to take turns penning a weekly column. To participate in this terrific opportunity and see your column printed in newspapers throughout the state, please contact LPC Chair Aaron Starr at StarrCPA@PacBell.net.



■ Coalition Building

# American Muslims Unify, Consider Third Parties

by Elizabeth C. Brierly  
Editor, California Freedom

The LPC is forging a synergistic relationship with the **American Muslim Alliance (A.M.A.)**. We featured A.M.A. chairman **Dr. Agha Saeed** as a guest speaker at our annual convention in March, and on April 30 they reciprocated.

Former LPC Chair and current Executive Committee member **Mark Hinkle** was invited to join three other parties' representatives for this "town hall" meeting, whose theme was "Election 2004: Unified Muslim Strategy and Action Plan." The event drew about 150 people at the Muslim Community Association facility in Santa Clara.

Aiming to organize Muslims in the mainstream of



• **Dr. Agha Saeed, AMA Chairman**

public affairs, A.M.A.'s mission statement reads: "We believe that political power is not a function of numbers alone but is a combined product of initiative, innovation, and determination. We, therefore, need to unlock our creativity. We need to transform our pent-up frustration, hopelessness, and pain into creative and meaningful steps for self-empowerment."



• **Mark Hinkle LPC activist**

Every party's speaker voiced his or her opposition to the U.S. conflict in Iraq, and especially against the U.S.A. PATRIOT Act and the decimation of our—and especially American Muslims'—civil liberties enabled by that Act. Mark Hinkle introduced candidates **Zander Collier** and **Michael Laursen**, who manned the LP's table, administered the Nolan Chart political quiz, and answered questions about the Party and their campaigns.

Hinkle succinctly conveyed



Photo: Elizabeth C. Brierly

• **Excellent turn-out greeted Mark Hinkle on April 30 for his talk during the A.M.A.'s presentation to members of the Muslim Community Association. The speakers noticed the tradition—not a mandate—that at such affairs, women and men congregate with those of their own sex. Of course at a Silicon Valley gathering, it was inevitable to find several distinct ethnicities even within the American Muslim community. The crowd broke twice for prayers, but otherwise they were remarkably receptive.**

the alignment of the Libertarian Party's values with those of his audience, emphasizing the Party's non-interventionist policy. He asked the attendees to raise their hands if they think government is too small, their taxes are too low, or whether they supported the U.S.A. PATRIOT Act. Based on

their response, Hinkle advised, "if you vote for Democrats and Republicans who brought you bigger government, higher taxes, and the U.S.A. PATRIOT Act, you'll be wasting your vote." He added that for their own self-defense, they should seriously consider voting Libertarian.

**Hugh "Pete" McCloskey**, a former public officeholder and long-time Republican, maintained that "there is no issue more important than war and peace in this election."

Green Party representative **Jo Chamberlain**, who has run for State Assembly, introduced her Party by saying, "We're the Party everyone likes to blame; [you and we] have that in common." She added that "in a democracy there are a lot of people trying to take away our rights. It's a full-time job fighting that."

Representing the Democratic Party was former LPC candidate **Maad Abu-Ghazalah**. He encouraged his fellow Muslims to become directly involved in the electoral process, suggesting they run for office, negotiate with candidates, and vote as a block.

The AMA is encouraging Muslims, more thinly spread around the U.S. than other religious or ethnic groups, to help empower themselves politically by voting as a nationwide block for candidates who support their overall values. ●



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## ■ Coalition Building

# LP Lends Legwork and Logic

by **Terry Floyd**

Chair, LPC Coalition Building Committee

## Call to Repeal Consensual "Crime" Laws in Berkeley

**C**alifornians for Civil Liberties (C.C.L.) has launched Angel's Initiative, a petition drive to legalize prostitution within the city limits of Berkeley. C.C.L. is a general purpose committee formed to fight for decriminalization of victimless crimes, and the petition is named for a murdered Bay Area transgender prostitute.

The petition asks, "Shall the City of Berkeley help stop violence against women, demand that the State of California repeal laws that prohibit private consensual adult sexual behavior and that treat women unfairly, make enforcing those laws a low police priority, and

cease wasting vital funds?"

To qualify the initiative for the November 2004 general election, 3790 signatures are needed from registered voters in Berkeley (pop. 102,473 in 2000). That's where the LP comes in. The **East Bay LP** will be working closely with C.C.L. to gather signatures and ensure this initiative's place in front of the voters this fall.

Proponents assert that among the problems of the criminalization of prostitution is that "brutal hate crimes routinely perpetrated against prostitutes reveal how such laws disenfranchise and foster discrimination against persons, especially women, and do more to harm Berkeley citizens than protect them.... Persons who provide sexual services should have the right to report any crimes perpetrated against them, and any crimes they witness, without fear of subjecting themselves to prosecution for admitting to being sex workers."

Furthermore, "California and the City of Berkeley face a severe financial crisis, and should not allocate precious resources for the senseless enforcement

of victimless crimes....available funds should be used for needed community services, not harassment."

We hope this will be the first of many joint efforts between C.C.L. and LPC to repeal destructive and unnecessary laws. ●

Learn more:

**Angel's Initiative**

[www.Liberty4Me.subterior.com/californians\\_for\\_civil\\_liberties.htm](http://www.Liberty4Me.subterior.com/californians_for_civil_liberties.htm)

## Touch Screen Voting Fraught with Bugs

**C**hanges to any process can cause hiccoughs, and change to our free country's voting system leaves our democratic process open to error, and can jeopardize our control over our government.

Following the March 2, 2004 "Super Tuesday" primary election, I closely followed news stories of the problems other poll workers reported in man-

*The mission of the Coalition Building Committee is to foster cooperation with other organizations who share similar goals with the LPC and engage the support of such groups in furthering the cause of liberty and freedom.*

aging the Diebold AccuVote Touch Screen computerized voting systems. I have since contacted **Open Voting Consortium**, a non-profit organization dedicated to the development, maintenance, and delivery of open voting systems for use in public elections ([www.OpenVotingConsortium.org](http://www.OpenVotingConsortium.org)). They have developed an open source software application for conducting elections which was demonstrated to the public at on April 1, 2004 at the Santa Clara County Government Office Building. I volunteered to assist **Alan Deschert** in preparing the demonstration.

Computer security experts have been criticizing the Diebold systems for the past few years, and **Dr. Avi Rubin** has been among the most vocal of the critics. Rather than just sit on the sidelines and whine about these vulnerabilities, Dr. Rubin volunteered to work at the polls this time to get a first-hand look at how elections function with the Diebold Accu-Vote Touch Screen systems.

Dr. Rubin is a talented researcher; his dedication to re-

searching these devices will improve our voting procedures and ensure the strength of our democracy for decades to come. His experience is detailed at [AviRubin.com/judge.html](http://AviRubin.com/judge.html). I sent him a detailed accounting of my experience during this past election, and I'll share a bit of that here.

I have worked as an election clerk, judge, and inspector for every primary and general election in California since 1996, and have had some interesting experiences.

I've been active in the LP since 1992, and I've run for partisan office once. When I began volunteering as a precinct worker in the 1996 presidential election, I noted some serious problems in the primary. There were so many candidates and parties on the California ballot that our old punch card voting systems were unable to handle the complexities of the election. In that primary election, California had eight qualified political parties—more than ever before in

• See **Touch Voting** page 7

*Terry Floyd is especially qualified to deal with touch screen voting systems as he is a Microsoft Certified Systems Engineer and Database Administrator. He serves LP of the East Bay both as Treasurer and as the region's alternate representative to the LPC Executive Committee, where he is currently serving as Chair of the Coalition Building Committee. Floyd resides in San Leandro.*

## Two Wars continued from page 3

By claiming consumers are protected by the FDA, opponents of Proposition 215 misrepresented evidence to the contrary. Misrepresentation of evidence perpetrates fraud.

In my opinion, literature promoting reform of drug law, including **Judge Jim Gray's** book, *Why Our Drug Laws Have Failed and What We Can Do About It*, exposes fraud in America's drug war.

And, with regard to the Iraq war, in my opinion, literature opposing the Iraq war fakes innocence for Saddam Hussein, as if he were not warring against America....

...as if Saddam Hussein's free life insurance for terrorists against Israelis couldn't possibly be offered to terrorists against Americans

...as if Saddam Hussein's staged trade-sanction genocide funeral parades couldn't possibly incite terrorist attacks against America. In fact, Osama bin Laden's February 23, 1998



• **Art Tuma, candidate for Congress District 3**

*fatwah* cited America's refusal to buy Iraq's oil, its "blockade," and a million Iraqi deaths as crimes and sins, a war on God which must be avenged. Numerous attacks against America followed, including the attack of September 11, 2001.

...as if Saddam Hussein's agents couldn't possibly train and equip other terrorists against America.

...as if Saddam Hussein's anti-American propaganda couldn't possibly motivate terrorists against America.

Many perils in life are unavoidable. But attacks on Americans by mad mass murderers to avenge feigned Iraqi genocide can be stopped.

And attacks by narcotics officers on Americans, to protect jobs in the drug misinforma-

tion-prison-punishment industry can be stopped.

Let's make peace with fellow Americans by exposing domestic fraud about the drug war.

But let's not lend comfort to foreign perpetrators of fraud about genocide. We should not even have the appearance of lending comfort to America's enemies.

Let's bring peace and cooperation among fellow Californians. On November 2, elect a new U.S. Senator, one who will defend all Americans from all frauds: Judge Jim Gray. ●

\* Excerpted no later than April 2004 from the National Narcotic Officers' Associations' Coalition web site, at [www.NatlNarc.org/papers/Ron%20Brooks%20-Medical%20Marijuana.html](http://www.NatlNarc.org/papers/Ron%20Brooks%20-Medical%20Marijuana.html); date of testimony unknown.

Douglas Arthur "Art" Tuma is the Libertarian candidate for U.S. Representative, Congressional District 3. Contact the Tuma for Congress campaign at (916) 729-7092 or at [www.SmartVoter.org/vote/tuma](http://www.SmartVoter.org/vote/tuma).

## Shopping for a home?

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With so many Libertarians in California, this could yield several hundred Network transactions each year.



Albert J. Segalla, Realtor  
Chair, Gold Country Libertarians

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■ Campaign 2004

# Early Innovation Among LP Candidates

by **Bruce D. Cohen**

Candidate for U.S. Congress, District 48

Traditionally, campaigns and candidates start getting serious in September and October. This year, Libertarians are getting to work six months early, instead of six weeks.

**Judge Jim Gray for U.S. Senate**, the flagship Libertarian campaign in California, and with arguably the highest profile in California, is already in high gear. With four full-time and two part-time staff members on the cam-



• U.S. Senate candidate Judge Jim Gray

paign, they mean business! Judge Gray recently added a full-time marketing and press person, **Julia El-Haj**, tall, beautiful, and a deadly shot on the basketball court. The hard-working, dedicated staff has been keeping Gray busy with multiple appearances daily around California. They have been fundraising successfully, reaching out to both the Libertarian community and California voters at large. [www.JudgeGray2004.com](http://www.JudgeGray2004.com)

In the race for President, **Gary Nolan** has been picking up a long list of endorsements



• Presidential candidate Gary Nolan

as the national LP convention approaches, burning up the shoe leather with an amazing number of trips and personal appearances. He's raised more than six times the funding of his next closest competitor, **Aaron Russo**.

Russo has been creating a storm of publicity with an impressive e-mail campaign and rumored big plans for the upcoming convention.

The **Michael Badnarik** campaign has been pretty quiet, with just one publicized appearance recently. The action and excitement seems to be between the Nolan and Russo campaigns, with most people



• Presidential candidate Aaron Russo



• Presidential candidate Michael Badnarik

giving a slight edge to Nolan, or calling the race even. Both campaigns are working very hard at getting out the vote, though their campaign styles are as different as the candidates' personalities.

[www.Badnarik.org](http://www.Badnarik.org)  
[www.GaryNolan2004.com](http://www.GaryNolan2004.com)  
[www.RussoForPresident.com](http://www.RussoForPresident.com)

As LPC's candidate for U.S. Congress, District 48, I have been building my campaign network of supporters, volunteers, and other candidates. I now am one of the few California candidates to have a full-time campaign staff, having hired **Elle Dubois** as Deputy Campaign Manager. With our fundraising plan already going strong, we're seeking monthly pledges for the six-month campaign season to cover office expenses and staff salaries. [www.GetBruce.com](http://www.GetBruce.com)



• Candidate for Congress District 48, Bruce Cohen

This very well could become a big campaign season for Libertarians! ●

*Bruce D. Cohen sits on the LPC Executive Committee and chairs the Fundraising and the Awards & Recognition Committees. He's a Realtor in Orange County, California. He provides fundraising assistance and support to California regions and candidates, through web site, pledge, and other programs. He has recently worked on both the Judge Jim Gray and Gary Nolan campaigns and is supporting three different campaigns for offices on the Libertarian National Committee: Mike Dixon for Chair, M Carling for Vice-Chair and our very own Aaron Starr for Treasurer. You may reach Cohen at [Bruce@GetBruce.Com](mailto:Bruce@GetBruce.Com).*

## Incarceration

*continued from page 1*

workforce is much less likely to return to crime.

With the implementation of this program, we can all look forward to reduced crime, reduced insurance rates, and reduced taxes. However, the system would fall apart if the period of formal probation is not strictly and fairly enforced.

Please support the campaign of Judge Jim Gray for U.S. Senate. I believe that I have the experience, insight and courage to create and implement policies and programs that work, and the vision to lead us all to a better and safer world.

Together we are in a position to do something historic. This Time It Matters! ●

*Originally published as JUDGE JIM GRAY-A-GRAM #6, April 30, 2004. To subscribe to the Gray-A-Grams, click the "subscribe" button on the campaign's home page. Help out by forwarding Gray-A-Grams to your e-mail universe, along with your personal endorsement of support for Judge Jim, and the recommendation that your family and friends in turn forward the messages on to their universe of e-mail contacts as well.*



• Candidate for Congress District 14, Brian Holtz

Libertarians up and down California are trying new and innovative campaign tactics.

**Brian Holtz**, Candidate for U.S. Congress, District 14, came up with an idea which few people understood and even fewer thought would work. He is betting voters \$2.00 they will vote for him. If they visit his web site, take his political quiz, and still don't vote for him, he'll send them a crisp new two-dollar bill! Take the test yourself at [MarketLiberal.org/Bet.html](http://MarketLiberal.org/Bet.html). You can't claim the two bucks unless you live in his district and declare that you won't vote for him. Holtz has had several major media hits from the offer, including a TV interview for three and a half minutes on a major network TV station. [MarketLiberal.org](http://MarketLiberal.org)

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■ Campaign 2004

# Know your District: Analysis and Demographics

A campaign strategy is based on many things, including the demographics of the district, the key issues at the time of the campaign and knowledge of the opponent(s). A strategy that will work in a large rural district may not be effective in a small, urban district or a suburban district. Likewise, a strategy that might be effective in one election year might not be effective two or four years later. A campaign should analyze the demographics of the district in terms of factors such as political party breakdown, age, number of families with children, ethnic and racial composition, and other such factors. The more the campaign knows about the district, the more effective campaign plan it can devise.

Who are the likely voters in your district and where do they live? How many different ways can you segment the voters so that you can reach the ones most likely to support your campaign?

Presumably, if you have lived in the district for any length of time you "have a feel" for where various voters

in your district live. You know which neighborhoods tend to vote Republican and which tend to vote Democrat. You know which are "blue collar" and which are "white collar." You know where different racial and ethnic groups reside and what their voting patterns are. You also should know what local issues are most important in different neighborhoods of the district. Getting it down on paper and integrated into your Campaign Plan is very important to your success.

The reason this information can be useful to the campaign is that it can help narrow the mailing list of the campaign so that the campaign's resources will not be spent on reaching voters who are extremely unlikely to support your campaign. It would be much more effective to send four pieces of targeted voters than two pieces to every voter in the district. Knowing the district's demographics will also allow the campaign to appeal to different voters on different issues. For example, a candidate might want to target neighborhoods adjacent to a large recreational lake for a

mailer about water issues. Or he might want to send a mailer about education issues just to voters of a certain age group. In other words, you can become far more efficient in your campaign efforts, optimizing your resources. Mail to the right people, walk the neighborhoods that matter, speak to the organizations where you can make an impact, advertise only where it will reach the right voters.

One of the most important ways of segmenting voters is by their likelihood of voting. Although most registered voters tend to go to the polls when there is a presidential election, only dedicated voters bother to vote for some local elections and primaries. Segmenting voter lists by the frequency that people vote can save a lot of money on direct mail advertising.

Another effective way to segment voters is by sex and race. Many issues have a particularly strong appeal to men, while others are more important to women. Likewise, some issues resonate with black voters, while others resonate more with white voters. Although race is not usually a field in voting records, it is generally easy to identify the predominant race of voters in key precincts.

Think about using multiple

criteria for segmenting mailing lists. For example, you might want to send a particular mailer only to black women between the ages of 35 and 65. The more you target a message to a particular group, the greater its impact is likely to be. This is especially true for members of interest groups such as the National Rifle Association, the Christian Coalition, or the National Organization for Women.

Before beginning a direct mail campaign, it is crucial to make a thorough analysis of your district and to think of ways to make your mailings extra effective by eliminating as many as possible of the registered voters who are very unlikely to support you on election day. Obviously, you want to make a concerted effort to win over "swing" voters, but don't waste your resources on mobilizing voters who are likely to vote 9-1 or even 7-1 against you. You have better things to do with your time and money.

District analysis is not a perfect science, but the more accu-

rate your analysis, the better your chances of victory. Polling may be necessary to provide a clearer picture of the political conditions where you are running but you do not know whom to poll or the questions to ask if you do not understand the district. ●

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**Advertise only where it will reach the right voters.**

## Touch Voting

*continued from page 5*

its history. Since the Registrar of Voters was required to include all races on the ballot, the central committee races (many of them uncontested) wound up exceeding the ability of the punch card to contain all the races and ballot measures. So some interesting improvisations were devised. In previous elections, each polling place had Vote-a-Matic machines customized for each party, but there simply weren't enough available that year.

When several precincts reported problems with having enough ballot pamphlets to allow all voters to match their numbers, several local leaders of the Green, Natural Law, Peace & Freedom, and Libertarian parties called for a special meeting with the Registrar of Voters to address these problems. Electronic voting machines were discussed at this meeting, but these were

nowhere near ready to be deployed, so we were resigned to the Vote-a-Matic punch card technology. It was then pointed out by the LP chair that since only the smaller parties were affected by these problems, it was up to us to get involved and make sure the process worked properly.

That was my call to become a regular election volunteer. Now I have earned the title of "certified" precinct inspector. I've worked with several teams of veteran precinct workers, all quite honest, intelligent, and dedicated to ensuring that our elections are conducted fairly. We share a vision of integrity of the voting process, but recent developments have caused us to question the decisions made by the County in trusting our democracy to these fragile, bug-ridden devices.

Alameda County has been using the Diebold machines

since the 2002 general election. When first I worked with these machines, I was impressed, but in subsequent years, I have grown suspicious of them; Dr. Rubin's research has elevated my skepticism. On March 2, 2004, I concluded that these machines are woefully inadequate for the task.

I began to lose faith in Diebold's technology during my Sept. 2003 volunteer training before the Recall Election, and I've encountered several problems, in training and testing as well as at the polling place on March 2. With problems ranging from a machine abruptly re-booting itself to the lack of any attempt at securing the physical machines from tampering, and with solutions ranging from rebooting, to breaking a seal over the top of the machine that was marked in bold letters "Do Not Remove," to having to ask voters to return later in the day,

• See **Touch Voting** page 8

## Decisions, decisions

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Writers wonder *whether* to Capitalize.

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## ■ Web Site of the Month

# United Against Tax Abuse

[www.SilCom.com/~taxabo/](http://www.SilCom.com/~taxabo/)



**R**obert Bakhaus, the LPC's *Karl Bray Activism Award* winner for 2003, is Chairman of a web-based grassroots lobby called United Against Tax Abuse (U.A.T.A.), at [www.SilCom.com/~taxabo/](http://www.SilCom.com/~taxabo/). Along with a link to his biography is Bakhaus's claim to fame as "the grassroots Libertarian lobbyist who sunset taxes." Visitors are encouraged to join U.A.T.A. in that effort by printing out and distributing their flyer, entitled, "Why Sunset All Taxes?" which explains the tactic of expiring old taxes which have outlived their original intention.

The site's home page is split simply between Topics and Tools. In the Topics section are links to a host of essays on how to undertake grassroots lobbying, such as "Why do all taxes become regressive? Can we



• **Robert Bakhaus,**  
UATA chair

detaxify taxaholism?" and "To abolish taxation start with California and understand Prop. 218's petition advantages!" as well as answers to provocative questions such as "What is The Root of All Evil? It's not money, power, or even simple ignorance!"

The other section presents quite a few Tools, such as the Dumb Law Database, where the reader can see what silly, outdated, and unnecessarily intrusive laws are on the books in each state, and a link to a Mass Media Database, where you can get help distributing your letters and press releases to a wide array of media. The site also reminds visitors to celebrate Decriminalization Day on July 3, conceived by Bakhaus as the "annual holiday for victimless criminals."

Interested readers and activists can visit the web site at [www.SilCom.com/~taxabo/](http://www.SilCom.com/~taxabo/) and are invited to subscribe by sending a blank e-message to [LibertarianSociety-subscribe@YahooGroups.com](mailto:LibertarianSociety-subscribe@YahooGroups.com). ●

For the latest activities, discussion groups, meetings, parties and demonstrations of the Libertarian Party of California and to link to your local region's site, note our web site's new URL:

[www.LPC.org](http://www.LPC.org)



## ■ Fund Raising

# Calendars Can Raise Cash for Campaigns



Here's a sneak peek at Miss July, LPC's own **Kate O'Brien**.

Running through March 2005, the calendar still has nine new months—if you order now!

Candidates: contact calendar brainchild Rachel Mills at [Rachel@RachelMills.com](mailto:Rachel@RachelMills.com) for your campaign's bulk orders.

For individual retail orders, contact one of California's Ladies of Liberty: O'Brien at [KateOBrienPE@CS.com](mailto:KateOBrienPE@CS.com), or phone (805) 583-3308, or **Elizabeth Briery**, March 2005, at [ElizabethB@Netgate.net](mailto:ElizabethB@Netgate.net). ●

**I**t's not too late for your campaign to put the fun in fundraising by ordering the *Ladies of Liberty 2004* calendar. Sixteen glamorous gals from all over the U.S. bare their libertarian beliefs and a shoulder or two in this elegant, retro-style calendar, designed by North Carolinian **Rachel Mills** to raise funds for libertarian causes.

## ■ Commentary

# When Doing Good is Bad

by **L.K. Samuels**  
LPC Northern Vice Chair



• **L.K. Samuels**

**I**sn't it always *good* to help an orphanage, hospital, or church? Isn't it always *good* to provide food, money and volunteer time for such worthy endeavors? What could possibly be considered *bad* about helping noble institutions?

It happens when free choice is replaced by violence and coercion.

*Good* becomes *bad* when people are physically forced to provide charity at the point of a gun instead of from the warmth of the heart. Many people assume that if the ends are *good* and noble, the means do not matter; murder or robbery are permissible if the end result is *good*. But do the "ends" really justify the "means"?

By this way of thinking, the State can force citizens to do anything, if the overall result would be a better society. But what happens when we put this into personal terms? What if armed men came into your

## Nobody's pet project is more important than another person's life, liberty, and pursuit of happiness.

home each day to force you to work at an orphanage, hospital, or church? Would you feel grateful? Or would you feel abused and that an injustice had been committed? Most individuals would be resentful.

Generally, people want the right to give personal consent. They want to determine what they do with their time and their lives. Anything else would seem unjust.

But what about the unfortunate? Why cannot society forcibly take money from its citizens, or kidnap people or even murder them in the name of the unfortunate? Why cannot we hurt others for the *good* of all? Because someone's *good* deed is another's *bad* misdeed. Is this possible? Could anyone justify cold-blooded murder as a *good* deed? Many serial killers believe that they have helped society in some fashion ("missionary" killers who want to clean up society). And what about the Nazi (National Socialist) program to gas and incinerate seven million Jews, Gypsies, homosexuals and others? Most would agree that this was a *bad* act, but Hitler and his administration considered it a *good* government policy.

Unfortunately, governments often sanction any violent act to accomplish what they perceive to be a *good* deed, contending in an egocentric way that they are right and everyone else is wrong; and therefore everyone must participate. In truth, a particular governmental program may indeed be important, even helpful. But the *good* end achieved is not the point. Forcing others to do your bidding is *bad*. Nobody's pet project is more important than another person's life, liberty, and pursuit of happiness.

The question becomes: who is to determine what is *good*?

Is it government? Or should the question belong to individuals? The libertarian viewpoint is explicit. Only individuals can determine what is *good* for them. Sure, they can make mistakes, but the only parties harmed are themselves. What happens when the State makes mistakes as it attempts to practice *goodness*? How many people are harmed? Often, great multitudes of citizens.

## Only individuals can determine what is good for them.

When the state attempts to do *good*, it is done on a gigantic scale. Almost everyone is affected. Most are forced to pay and conform to a program that may or may not do the *good* that was originally intended. And considering that governments worldwide are directly responsible for the deaths of up to a quarter billion people in the twentieth century (wars, mass executions, genocides, forced starvation, political purges, *Gulag, ad nauseam*), should we expect government to do any *good* at all? ●

\* Machiavelli (1469-1527) coined the phrase "the ends justify the means."

*Lawrence Samuels is a long-time libertarian activist. He founded Freedom Watch, on the web at ([www.Freedom1776.com](http://www.Freedom1776.com)), and is editor of the very handy book, Facets of Liberty: A Libertarian Primer. Samuels works as a Realtor, and this year is serving the LPC as Northern Vice Chair. Reach him at [LawSamz@Hotmail.com](mailto:LawSamz@Hotmail.com).*

## Touch Voting

*continued from page 7*

clearly the system is far from ready to foist upon voters.

**James Renken** has also written a very detailed description of his technical support headaches with the AccuVote machines in San Diego (see [www.NukeFreeZone.net/archives/000140.html](http://www.NukeFreeZone.net/archives/000140.html)). While our respective reports are anecdotal, I believe the problems justify a full, objective investigation

into how Diebold's machines are truly performing in comparison to competing voting systems from other vendors.

There is no reason an open source voting system could not be developed in the next year that would address security and paper trail concerns from the outset, rather than as an afterthought. I suspect such a system could be developed at far

less cost than the Diebold devices. Since the county has already purchased the Diebold machines, it doesn't seem too complicated to re-install a different operating system on several of them to test and certify alternative platforms.

The Coalition Building Committee will continue to compare notes with these folks who share our concern about these systems and the integrity of our democratic process, and to promote possible solutions. ●