

California Freedom

November 2004 The official publication of the **Libertarian Party of California**

Outreach in the Outdoors LP Booths at Festivals around the State

by **Elizabeth C. Brierly**
Editor, California Freedom

Presidential election years—especially when most voters find the main two candidates equally distasteful—are the perfect time to get outside, pitch a tent, and hawk Libertarianism. This summer and fall we saw much LPC participation in fairs and festivals, with plenty of use of the “Operation Politically Homeless” (OPH) model. The OPH booths offer festival-goers a shot at the World’s Smallest Political Quiz, which enables voters and nonvoters alike to identify where they fit in the political scheme of things.

Here we share members’ experiences and some tips in get-

ting out and running LP booths.

The LP spent five days of September at the Tulare County Fair. Jonathan Zwickel, Secretary of the LP of Fresno, is pleased to report that Dr. Elizabeth Bossingham, an activist from Woodlake, after having heard Judge Gray speak (our U.S. Senate candidate), “thought that it was important

enough for voters to hear about Judge Gray and the LP, that she paid for the Tulare County Fair booth.” Most generous, considering that this fair ran for five days.

Zwickel also applauds and gives credit to Rodney Austin, Chair of the LP of Fresno, and Lawrence Samuels, LPC’s

• See **Outreach** page 4



Photo: Kevin Takemaga

• **Santa Clara County LP’s Chairman Allen Hacker** proctors the Quiz at the Operation Politically Homeless booth at the Cupertino Oktoberfest.

Tax Sunsetting Battle Rages In Buellton: Who’s David? Who’s Goliath?

Everybody likes to watch David slay Goliath, but sometimes it takes a scorecard to tell who’s who.

In the tiny California town of Buellton, the City Manager Steve Thompson is outraged. He claims he’s being beaten up on by a political philosopher named Robert Bakhaus, who managed to place a “Sunset All Local Taxes” measure, X2004, on Buellton’s November 2 ballot with fewer than 100 petition signatures.

Bakhaus, in turn, says he’s being unfairly characterized as a bullying outsider, by a highly provincial public official who is spending thousands of taxpayer dollars misinforming the public about the “threat” of mandatory tax referendums every generation.

Who’s telling the truth? Decide for yourself by visiting their contrasting web sites:

- City of Buellton Online, Information Resources for the Tax Sunset Initiative of 2003: www.CityOfBuellton.com/sti.html
- *Why Sunset All Taxes?* by X2004 author Robert Bakhaus:

www.Silcom.com/~taxabo/

Local media have found the contest amusing, if not novel and even confusing. The *Santa Maria Sun* published “Buellton Faces Taxing Year,” Jan. 15, 2004, which is posted at www.silcom.com/~taxabo/Sunset Taxes Santa Maria Sun news.htm.

In nearby Arroyo Grande, LPC former chair Gail Lightfoot is a candidate for City Council and a petitioner for sunsetting taxes in Pismo Beach. Says Lightfoot, “Buellton’s City Manager is unfairly scare-mongering the citizenry. He’s telling them that if they approve X2004, all their local taxes will disappear and they will have sold themselves into slavery.”

“The simple truth,” Lightfoot explains, “is that tax sunsetting does not repeal any tax—not even one, let alone all.... What it does do is force the tax-dependent political class to justify their taxes publicly once every 25 years. And that’s a good thing.”

Campaign signs of supporters of

• **Gail Lightfoot**

Lightfoot for City Council are available; send your request to GkLft@aol.com.

Another supporter of tax sunsetting, Michael Lamboley (at MMLamboley@Juno.com), has written letters to local news outlets sharing his opinion that X2004 does not threaten any public program in Buellton, because the City can

fund libraries, parks, streets, and the like by using benefit assessments. This is a funding mechanism over which locals have more control, unlike property taxes and Redevelopment Agency taxes, which are already being taken by the bankrupt California state government. “Tax sunsetting is a way for locals to opt out of tax thievery from above,” he says.

• See **Buellton** page 2

LPC Appoints New Executive Director! David Ruprecht Starts Oct. 14

On Oct. 14, David Ruprecht of TV renown joined the LP of California as Executive Director. He will focus on fundraising, LP relations with elected officials, and coordination of guest opinion pieces in periodicals.

Libertarians may recall Ruprecht’s video interview of Harry Browne during the Presidential campaign. Well, he has plenty of experience in front of the camera, having hosted Lifetime’s “Supermarket Sweep” and co-hosted NBC’s “Real People.” After achieving success not only in hosting, but

in acting and in screenwriting (“Small Wonder,” “Finding Home,” “Charlie’s Wake”), he has shifted his career focus.

“My experience has been in the volunteer, nonprofit world,” Ruprecht says. “I am earning my certificate [in Philanthropy] at CSU Northridge. I think my knowledge of and ability in nonprofit fundraising, mixed with my dedication



• **David Ruprecht**

• See **Ruprecht** page 3



• **Jonathan Zwickel and Dr. Elizabeth Bossingham** at the Tulare County Fair in September

INSIDE

Coalitions build strength in numbers 3

Badnarik and Gray get late endorsements 3

Chaology: liberty has basis in science 6

Fighting sales taxes in Fresno 7

The Kubbys sue prosecutor for fraud 8



• **Robert Bakhaus**



California Freedom

Vol. 2 • Issue 11 • November 2004

California Freedom is the official monthly newspaper of the Libertarian Party of California. Opinions, articles, and advertisements published herein do not necessarily represent official party positions unless so indicated.

PUBLISHER

Libertarian Party of California
14547 Titus Street, Suite 214
Panorama City, CA 91402-4935
Web site: www.LPC.org
Telephone: (818) 782-8400
Facsimile: (818) 782-8488

EDITOR

Elizabeth C. Brierty
E-Mail: Editor@LPC.org

STATE CHAIR

Aaron Starr, CPA
Telephone: (805) 583-3308
E-Mail: StarrCPA@PacBell.net

MEMBER COMMUNICATIONS CHAIR

Mark Hinkle
E-Mail: Mark@Garlic.com

GRAPHIC DESIGN AND LAYOUT

Muffet Laurie Brown
E-Mail: Muffet@Earthlink.net

WEBMASTER

Bruce Dovner
E-Mail: WebMaster@LPC.org

ADVERTISING SALES

E-Mail: Advertising@LPC.org
Telephone: (818) 782-8400

CONTRIBUTORS

| | |
|------------------|------------------|
| Rodney Austin | Robert Bakhaus |
| Terry Floyd | Mark Hinkle |
| The Kubby Family | Gail Lightfoot |
| David Nolan | David Ruprecht |
| L.K. Samuels | Mark Selzer |
| Kevin Takenaga | Norm Westwell |
| Dan Wiener | Jonathan Zwickel |

SEND ADDRESS CHANGES TO:

Libertarian Party
2600 Virginia Ave. NW, Suite 100
Washington, D.C. 20037
(202) 333-0008 x223

SEND NEWS, LETTERS, ESSAYS, PHOTOGRAPHS OR ADVERTISING TO:

Elizabeth C. Brierty
Editor, *California Freedom*
P.O. Box 611021
San Jose, CA 95161-1021
Tel./fax: (408) 272-3191
E-Mail: Editor@CaliforniaFreedom.org

SUBMISSION DEADLINES

All news stories, editorials, and announcements are due six weeks prior to the month of publication:

- January 2005: Due 11.20.04
- February 2005: Due 12.21.04
- March 2005: Due 01.18.05

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.

COPYRIGHT NOTICE

Articles, copyright 2004 by their author(s) and/or Libertarian Party of California, except where stated as a reprint. All rights reserved.

The Election is Over...Now What?



FROM THE CHAIR

Actually, I'm writing this column before the election, so I don't know the results.

If it turns out that Proposition 62 passes—and with more votes than Proposition 60—it's possible that we will need to completely change our approach to handling elections.

Just to remind you, Proposition 62 would eliminate traditional, partisan primaries. Instead, all candidates would show up on the same ballot and the top two candidates, regardless of party affiliation, would advance to the November general election, the only election where a candidate is actually elected. Proposition 62's enactment would make it virtually certain that you'll never again get to vote for a Libertarian in a general election. Instead, you will have just two major-party candidates on the ballot from which to choose—who in many gerrymandered districts would both be from the same political party. The competing measure, Proposition 60, would enshrine in the state's constitution a

guarantee that all qualified political parties would have their nominees on the ballot in November.

If Proposition 62 is now law, we will work with Richard Winger, our ballot access expert, and probably spend a great deal of money on attorney fees to overturn this law. I'm told there is significant case law out there that suggests that this law, if challenged, would be declared unconstitutional.

But whether or not Proposition 62 has become law, perhaps we need to change how we do business. We need to recruit a different type of candidate and we need to run in a different type of race.

Many of our candidates do not put in the time needed to run effective campaigns. Some candidates are running mere "paper" campaigns. I do appreciate having these folks waving the Libertarian Party banner, but before the public will take us seriously, we need our candidates to treat their campaigns seriously.

I've noticed that our better candidates tend to come from one segment of the population: small business owners. Small business owners—especially those with at least a few employees—tend to be organized, are natural leaders, have more resources, and more flexibility in their schedules to make cam-

paign appearances. I also believe that small business owners make up a natural constituency for our principles of limited government. Running more small business owners as candidates will help this constituency better identify with us.

If Proposition 62 has become law and it survives a constitutional challenge, it may make little sense to run candidates for most partisan offices. I do not recall any of our candidates achieving second place in a three-way race in November elections, so we're especially unlikely to achieve this in primary elections. For us to be part of the debate in November, we will need to focus on local, nonpartisan races. This could actually be a blessing for us. We have won quite a few local elections over the years—all winnable, nonpartisan seats. There are nearly 29,000 elected positions in California, fewer than 200 of which are considered partisan. Turning our attention to local, nonpartisan races and fielding serious candidates are what need to be done to build our party to the next level.

To the extent that the Libertarian Party of California invests resources recruiting

candidates, I'm going to urge that we recruit small business owners and run them in winnable, local races.

This leads me to the next topic: resources.

One of the challenges with having an all-volunteer board of directors is that generally, they invest time in our organization only after all other facets of their lives are taken care of. This is understandable. Unfortunately, this leads to very slow progress in accomplishing Party goals.

After this most recent year, I'm convinced more than ever that we need to hire professionals at our headquarters. The challenge is that our finances do not allow us to hire more than one person—at not a lot of money, either—and no one individual has all the talents and time to meet all of our needs. So the first position for which I've been interviewing people is one with the responsibility of raising money. I figure if we raise more money, we will be able to afford the talent we need to advance us to the next level.

Successful political parties have paid staff. We need to face reality and follow suit.

Toward liberty!

Aaron Starr, Chairman

Buellton Tax Sunsetting Battle continued from page 1

The author of X2004, Robert Bakhaus (Taxabo4@AOL.com), says he regrets that the City Manager has placed so much emphasis on attacking the messenger. "The more I hear from Mr. Thompson," Bakhaus says, "the more I am reminded of the '60s, when I witnessed Governor George Wallace standing in the doorway of an Alabama college huffing and puffing for 'Segregation today; segregation tomorrow; segregation forever.'"

"While Thompson attacks me for being an 'outsider' from Santa Barbara, he conveniently ignores the fact that only four of his 22 city employees live in the town of Buellton," Bakhaus points out. "Buellton's City Clerk, Birgit Cripe, lives in Lompoc. Buellton's City Attorney, Mr. Kirchner, lives in

Santa Barbara. The whole town of Buellton is run every day by us 'outsiders,'" states Bakhaus.

Mr. Bakhaus tells California Freedom, "If the current distortions and obfuscations by Buellton's overpaid City Manager do manage to scare voters away from empowering themselves this election, then we'll just be back with another petition, and another, and another—whatever it takes to finally educate the voters.

"The big question is, how long will it take the Libertarian Party to prioritize tax sunsetting in all American cities, counties, and states? After all, it does take a handful of signatures in each tax jurisdiction to get the job done. Is the LP up to the challenge? I suspect the question, once again, is not 'if' but 'when.'"

Election Correction!

The LPC has reconsidered its recommendation on statewide **Proposition 70**. In the October issue of *California Freedom*, it was reported that LPC had taken "no position," but please note, in case you are reading this before having voted, that the LPC Executive Committee now recommends a "No" vote on this Indian gaming Proposition.

Proposition 1A was added to the ballot recently as an alternative to **Proposition 65**. The LPC has taken no position on Prop. 1A, and retains its recommendation of "Yes" on Prop. 65.

If you missed our October issue with the ballot recommendations, please see our web site at www.LPC.org/props/Nov04.html.

Viewpoints: What's Your Take?

Have YOUR viewpoint printed right here at *California Freedom*. Send us your letters to the editor, photos, reports on local LP events, op-ed articles, or critique of the latest book you've read about politics or economics.

Editor@CaliforniaFreedom.org

or

Editor, *California Freedom*
P.O. Box 611021
San Jose, CA 95161-1021



Coalition Building Committee Report

Strength in Numbers



Ruprecht continued from page 1

by **Terry Floyd**
Chair, Coalition Building Committee

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

Here is what the committee has been up to in September and October.

Tina Philips of the Alliance for Social Justice at Calif. State University at Hayward has been organizing debate parties. Since only the Democrat and Republican candidates have been included in the televised debates, she was interested in information on the other, excluded candidates. I sent her a package of materials from the Badnarik-Campagna campaign, and threw in Judge James Gray for U.S. Senate materials for good measure. I included newsletters



• **Terry Floyd**

from the LP's East Bay region, a number of brochures from both LP and International Society for Individual Liberty (ISIL—one of our most significant allies), and a copy of the new publication of the Libertarian National Committee, *Libertarian Solutions*.

We contacted Ramy Dodin, the new Chair of Cal Berkeley Libertarians, and will be delivering a similar package of materials to him this week for distribution on Sproul Plaza at the U.C. Berkeley campus.

The East Bay LP's Constance Ericson and I are developing a CD or DVD to send to groups such as these who inquire about the LP and our candidates. Included will be the LP's current Platform (national and state), outreach materials in PDF format, links to affiliate web sites and other information, as well as audio-visual presentations from well-known Libertarian speakers and writers (e.g., ISIL's "Introduction to the Philosophy of Liberty"). We would appreciate LPC members' suggestions for material we should include on the disk.

Curt Cornell and I met with Nick Gillespie and Chris Cavanaugh of *Reason Magazine*

in Emeryville after their book signing excursion at Barnes & Noble. We spoke with these two editors about Mr. Badnarik, the LP, and issues concerning free minds and free markets.

And sometimes the Coalition Building Committee has popcorn and bubble gum duties too—we attended a preview screening of *Team America: World Police*. This new feature film from Trey Parker and Matt Stone, creators of the *South Park* television series, satirically skewers both liberals and conservatives, terrorists and terrorist fighters. The film is tasteless, tactless, and hilarious, with something to offend everyone, including fans of Gerry Anderson television shows from the 1960s and the SuperMarionation process. The film opened nationwide on October 15, and it's recommended only for those with a sense of humor—and a strong stomach.

If you're interested in helping expand LPC's influence, and affording us and our coalition of freedom fighters more power through numbers, the Coalition Building Committee would welcome your participation. Contact me at TLFloyd@LMI.net

to our cause and just a hint of "celebrity" are what convinced [LPC Chair] Aaron Starr to take me on."

As reported in the *Hollywood Investigator* ("David Ruprecht: Hollywood Republicans, Libertarians Coming Out of the Closet," by Hank Willow, 12/30/02):

"Ruprecht and his wife, Patti, had been 'lifelong Democrats' until the early 1990s, when, Ruprecht said, they realized that 'the Democrats don't speak to us anymore.' Over time, he discovered the Libertarian Party by listening to radio's Larry Elder—and was eager to learn more, when his commercial agent hesitantly approached him about hosting a 'political

infomercial' for Harry Browne. A thrilled Ruprecht shocked the agent by stating that he'd been thinking of joining the LP. The agent replied: 'Everybody in Hollywood is either Democratic or in the closet.'



"Because of his TV fame, Ruprecht was asked to read the LP platform at their 2000 convention, for the benefit of the C-SPAN audience. 'So I read the party platform, and I took my Democratic Party card—which I'd had forever—lifted it up, and I joined the LP right there [on national TV].'"

In August of 2002, Ruprecht joined the board of American Liberty Foundation. He also has served on the board of Rotary Club of Sierra Madre, and volunteered for fundraising duties at Haven House in Pasadena.

Ruprecht's B.A. in both Theater and Philosophy, combined with his libertarian politics and his studies in Philanthropy sound like a winning combination for an LPC Executive Director.

Welcome aboard, David! ●

for how you can help. ●

Terry Floyd is a long-time LPC activist, currently serving as Treasurer of the LPC's East Bay Region. He serves the state executive committee not only as Coalition Building Chair, but as an Alternate Representative from his region. He can be reached at TLFloyd@LMI.net.

Coalition Building

LPC Joins CA Civil Rights Alliance

by **Mark Hinkle**
LPC Executive Committee

The Libertarian Party of California has joined the California Civil Rights Alliance (CCRA), whose mission is "to protect and promote civil rights of all." One of their three guiding principles is that "everyone is entitled to all the rights and freedoms...without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status."

To that end, a top priority of CCRA has been to get our California legislature and governor to pass Senate Joint Resolution (SJR) 22. In a nutshell, the resolution says that no state resources shall be used to help the federal government violate our Constitutional rights through provisions of the USA PATRIOT Act.

I have attended most of the CCRA meetings as a representative of the LPC, and can attest that they are working very hard to protect their, and our, civil rights. They are dedicated to repealing the USA PATRIOT Act and to educating people about the civil rights violations contained therein.

CCRA's activism includes putting on events such as "Lobby Your Legislator Day" on August 17, running newspaper ads about their work, organizing multi-city hearings on the USA PATRIOT Act and its impact on minorities, and conducting a candidates' survey and publishing its resultant "score card." CCRA has rated several LPC candidates for their stand on civil rights as either "Strong Support," including Mark Baldwin, Zander Collier, Gary Kirkland, Mike Laursen, and Roberto Leibman, or "Support," including Timothy Johnson and Allen Rice.

Besides the LPC, CCRA membership includes the American Muslim Alliance, who has been very welcoming of our candidates at their forums, the Green Party of California, Northern California Interreligious Conference, and the Archdiocese of San Francisco.

For more information on CCRA, visit their web site at www.CivilRightsForAll.net or telephone (510) 252-9858. ●



Mark Hinkle is former LPC Chair as well as former Chair of the LP of Santa Clara County. This year he has been active not only on the social-moral side of LPC's platform as rep to CCRA, but on the fiscal side, having aided in the processing of 13 ballot arguments against tens of millions of dollars in bonds and parcel taxes in his county's Nov. 2 election.

Breaking Campaign News: Libertarians Endorsed

Just before press time, California Freedom has learned that Libertarian Judge James Gray, running for U.S. Senate, has won the endorsement of the Reform Party, and that Alan W. Bock, a senior editorial writer for the *Orange County Register*, has endorsed Libertarian Michael Badnarik for President.

Mr. Badnarik and several of his opponents are featured on the cover of *The American Conservative* (11/8/04). The issue covers the endorsements of Ralph Nader by Justin Raimondo, George W. Bush by Pat Buchanan, John F. Kerry by Mitch McConnell; Michael Peroutka by Howard Phillips, and Michael Badnarik by Alan W. Bock.

The editors of *The American Conservative* write, "Unfortunately, this election does not offer traditional conservatives an easy or natural choice and has left our editors as split as our readership. In an effort to deepen our readers' and our own understanding of the options before us, we've asked



Badnarik



Gray

several of our editors and contributors to make "the conservative case" for their favored candidate. Their pieces...constitute [our] endorsement."

Bock's article on Mr. Badnarik includes admiration for Judge Gray: "In California,...Judge Jim Gray, a serious, principled proponent of limited government who would wipe the floor with Democrat Barbara Boxer and Republican Bill Jones if they were foolish enough to let him into televised debates, is running for Senate and should do respectably."

For Bock's full endorsement article, see www.AmConMag.com/2004_11_08/cover4.html. For these Libertarian candidates' sites, visit www.Badnarik.org and www.JudgeGray2004.com. ●

LP Activists Work Festivals around California

Outreach

continued from page 1

Northern Vice Chair, who manned the booth on that Saturday.

Tip 1. Make your OPH booth just an OPH booth. Refer those quiz-takers to your LP booth only once they've discovered they're libertarian, so they can hear more about how you're working to further their own values in their community.



Photo: Kevin Takenaga

- Allen Hacker gives the Quiz to a family at the Cupertino Oktoberfest.



Photo: Elizabeth C. Brierly

- Kevin Takenaga, LPSCC Campaigns Chair, takes a breather after a day of promoting liberty; Cupertino Oktoberfest.

"We had great success at Cupertino's Oktoberfest on Oct. 9-10," said Kevin Takenaga, Campaigns Chair for the LP of Santa Clara County. Instead of renting a single booth to give the quiz and to pitch LP principles, this LP region recognized the importance of dividing and conquering. "The separate presence of the Libertarian Party, pitching LP candidates, and Allen Hacker's Lawful Gov, with the World's Smallest Political Quiz, helped us to project much more effective communication than usual."

"Allen Hacker made a huge contribution with his sponsoring of that separate booth. It did as much to inform others of Libertarianism, if not more, as our LP booth could, in a very engaging manner. Those who would give the LP booth a cur-

In this election cycle, dissatisfied voters were receptive to alternatives to the two major parties.

sory glance would walk down the path and spend time with Allen." Allen stayed very neutral in his explanation of the diamond chart and the differences between the political quadrants depicted therein. Takenaga continues, "He'd refer only the libertarian-leaning folks to the LP booth. Many were shocked to learn they held libertarian views, and left with a concrete assessment of their political philosophy and opened their door to us."

Tip 2. Use your booth to expand LPC's coalition. If local nonpartisan organizations (such as a taxpayers' association) share your goals, consider offering to display their organization's brochure or a leaflet about a libertarian issue. What goes around comes around!

The LPSCC has been thinking "outside the box" at several festivals, by displaying

- June Genis displays visitors' results on the Nolan Chart at OPH booth; Cupertino Oktoberfest.



Photo: Elizabeth C. Brierly

- Zander Collier, candidate for State Assembly, and Mark Hinkle, LPC Member Communications Chair, man the booth at the Mountain View Art and Wine Festival, Sept. 12.

brochures for Silicon Valley Taxpayers' Association, the Party's ally in writing ballot arguments against 13 exorbitant bond measures and parcel taxes being put to the county's voters on Nov. 2. They also "gave out 100-150 'Vision for America' brochures, as well as Gray for U.S. Senate and Badnarik for President material. Our "Bush/Kerry" flip coins were a hot giveaway," says Takenaga.

Tip 3. Give great service. Think of your booth not as a battlefield for freedom fighters but as a freedom shop, where festival-goers are browsing for politics, and trying on liberty to see whether it fits. One way to guarantee

a better fit is inclusion. Use the Libertarian Denominator technique. Instead of explaining to prospects that "Libertarians tend to be conservative on fiscal matters and liberal on social matters," show that everyone is already a libertarian by phrasing it this way: "Republicans are libertarian on fiscal matters, and Democrats are libertarian on social matters." You've created a common denominator for your customers.

Takenaga proved he's a customer service-oriented Libertarian. "When Nick Langston

- See Outreach page 5

Long Distance Calls for **2.75 Cents a Minute!**



- **NO fees or monthly minimums. No "gotcha's"!**
- **Land-line quality. NOT Internet telephony!**
- **Billed in six-second increments!**
- **Optional toll-free 800 number with no fees and same low rate!**
- **Get paid for referring others!**

For more information and to sign up on-line:
www.EconomyTelcom.com/CA-LP

Offered by Richard Rider, President, Economy Telcom (800) 914-8466



Photo: Elizabeth C. Brierly

Promoting the Party to the General Public



Photo: Elizabeth C. Bieri

• No shortage of reading material (below) at the LP booth at "Tapestry in Talent" in San Jose

• (Above) A beautiful reminder of our rights and responsibilities as citizens of an American nation founded on the principle of liberty



Photo: Kevin Takenaga

• (Below) Kelly Barry reads the LP booth at the Tapestry in Talent festival in San Jose over Labor Day weekend.



Photo: Kevin Takenaga



Photo: Mark Hinkle

• This banner is Allen Hacker's response to the disturbing practice of relegating protesters into "free speech zones" at the major party conventions in 2004.



Photo courtesy of Jonathan Zwickel

• The Tulare County Fair booth was even equipped with a TV/VCR so that fairgoers could see and hear live action libertarianism

• Dennis Umphress (right) gathers signatures for an initiative on medical marijuana at the Mountain View Art & Wine Festival in September.



Photo: Elizabeth C. Bieri



Photo: Kevin Takenaga

• Former chair of the Orange County LP, Brian Schar (left), now of Menlo Park, took the closing shift at the Cupertino Oktoberfest with his wife, Anne (not shown).

Outreach continued from page 4

showed up and not only changed his registration from "decline to state" to Libertarian, but made a contribution to the Gray campaign, I was able to reach Judge Gray by phone so he could thank Nick personally."

Tip 4. Be a private eye. Take a stroll and visit other political parties' booths. See what they're doing and whether it's working.

"Perhaps my favorite observation," Takenaga said of the



• A sign at the Tulare County Fair LP booth expresses a notion many members of the public share

create customized Libertarian Party labels to affix to water bottles to raise funds at the more sweltering events.

Tip 5. Have your front-most sign or banner be enticing. Instead of just "Libertarian Party" (boring!), catch the eye of passersby with signs that proclaim "Enough is Enough!" or that ask "Where, oh where is my political home?"

Michael Badnarik had remarked at the Republican convention in New York that in America, anywhere he is standing is a free speech zone. So Allen Hacker latched on to this wonderful soundbite and designed a large banner for his region's LP booth which depicts America and its flag, and proclaims, "Free Speech Zone."

And perhaps the most important tip to remember and to follow up on each and every year:

Tip 6. Have all the folks who worked the booth write down their experiences—what worked, what didn't, any surprises. Keep these ideas or recommendations in a central place that will be easily found and used next year or by the next team of your region's officers and volunteers. Don't reinvent the wheel—just give your tires better traction. ●



• L to R: Santa Clara County's Zander Collier, Dennis Umphress, Mark Hinkle, Allen Hacker at downtown Mountain View Art and Wine Festival.

Think "customer service"

Cupertino event, "is that we were the only political party present! That sure felt good. I look forward to more such wins at our future festivals." Takenaga is driving a project to

There are many ways that you may not have thought of to file income tax returns and cut the tax bill to the bone with various tax strategies. Rather than running from the IRS, play their game defensively. Call me and I will find tax and asset protection strategies that fit your situation.

Jerry L. Dixon, CPA
www.DixonEnt.com/a.htm
(619) 449-7228

The Next Level: Libertarian Chaology

by **L.K. Samuels**
Editor, *Facets of Liberty*

The next important movement toward liberty will focus on the theories of chaos and complexity. Chaos theory provides scientific confirmation that open-ended, flexible systems work better than closed-ended, deterministic ones. With the help of Quantum Mechanics, Chaos theory proves that the universe is not based on the old Newtonian physics of order and precision, but instead is based on probability and uncertainty. Future events arise by chance, with no more reliability than a pinball machine. The probability that the sun will come up each morning is just that—a high probability, not a certainty.

In stark contrast, determinism had envisioned the world as linear, nondynamic and static—in a sense, unable to “think outside the box.” It ar-

gued that if certain variables could be quantified, the future would be easily predictable in clocklike fashion. Experiments in the subatomic world have dispelled these notions.

The nature of the physical world favors liberty. Nature is a self-governing system that provides unlimited choice on the smallest possible level—the individual—creating a bottom-up structure. This effect is partially due to micro-events of almost unnoticeable actions that can result in large and unpredictable consequences (better known as the Butterfly Effect). Despite the uncertainty of unintentional consequences, politicians routinely chisel into stone thousands of new laws that must radically distort reality since the factors upon which they were originally based have changed.

When a law is enacted—no matter how in tune with reality at the time—it will soon be outdated, and possibly danger-

ous to the community and the economy. Why? Because time and matter are asymmetrical,

The nature of the physical world favors liberty.

in that no two things are ever identical. In fact, no two water molecules, snowflakes, people or time-events have ever been exactly the same. Perfection is impossible in a flawed, fluctuating world. Yet, social engineering by governmental

coercion is based on achieving the perfection of equality—an equality that has no foundation in nature.

Further, the data available to make political decisions are ubiquitous and usually so complex as to be infinite. Nevertheless, centralized authorities rule and regulate on information which is very limited, inconsistent, and unreliable. How could a reasonable decision ever be made under such circumstances? Or, more importantly, how could anybody expect anything but disaster from such blind decisions?

Chaos theory encourages the concept of a voluntary society uninhibited by arbitrary con-

trols. It is time for libertarians to stand up and take notice. ●

L. K. Samuels is a long-time libertarian activist. This article is excerpted from his as yet unpublished book, In Defense of Chaos. Samuels founded Freedom Watch, on the web at 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. You may reach him at LawSamz@Hotmail.com.



Photo: Elizabeth C. Brierly

LP's “Firecracker” Gets More Bang for his Buck

Libertarian Norm “Firecracker” Westwell is running for not one, not two, but three public offices this November: California Assembly District 67, Huntington Beach City Council (his third run), and Ocean View School District.

A self-employed swimwear and sportswear manufacturer, Westwell knows how to get a good return on his investment. “One man gathers what another man spills,” he says, explaining that he recovered forty 4’ x 8’ corrugated plastic signs from the primary election and hand-painted them to create what you see here. “Total cost for all 40 signs: \$150.” And since they’re office-neutral, that equates to just \$50 per campaign!

With their eye-catching size, and through placement in great locations, Westwell has already demonstrated the accuracy of his campaign slogan: “Elect Norm ‘Firecracker’ Westwell and you’ll get more bang for your bucks!” This sign was erected using 3-1/2” electrical conduit pounded into the ground. “Cheap, but to great effect,” says Westwell. He also placed around town about 30 signs for the Judge Gray for U.S. Senate campaign.

In his race for Assembly, Westwell promises to be “a voice against any new taxes, fees, surcharges or any other tax collection scheme.” His

goals for City Council include “Protect and preserve your vanishing property rights.” And in seeking a seat on the school board, “I simply want the

Huntington Beach,” and mentioned Westwell’s prominence locally as an outspoken Libertarian. “I don’t think [Huntington Beach has] a rev-



• Norm “Firecracker” Westwell is dwarfed by his huge sign, which puts the neighboring campaigns’ signs to shame.

Ocean View School District to be the best for all children, as well as my own two children. I will work to make sure every child has an equal opportunity to receive the best education possible.”

Westwell, who earned the nickname “Firecracker” after petitioning the Council to legalize certain fireworks, has garnered press this year in both his School Board race and his City Council race. Dave Brooks of the *Independent* (“Trying to get the word out,” 10/14/04) wrote that “the campaigns are all an attempt to build a base for the Libertarian party in

enue problem; I think we have a spending problem,” Westwell was quoted as saying.

Westwell runs a web site called Modern Public (www.ModernPublic.com), meant to serve as “Your town square for the 21st century.” Its mission is “to operate for public interest and benefit a cyber town square where you can create and participate in local polls and debate various local government issues.” Westwell encourages LPC members to use the site to initiate such “cyber town squares” for their own cities. He can be reached at Norm@ModernPublic.com. ●

For when you're facing a button-down audience...

or for when you really need to push some buttons!

Brierly Services Company

Professional Editing and Communications Consulting

BrierlyServices@Netgate.net
Telephone & facsimile: (408) 272-3191 • Mobile: (408) 930-4172

■ Taxation

Think Big — But Not with Other People's Money

by **Rodney Austin**
Chair, LP of Fresno County

The former Northern Vice Chair of the LPC wrote this column for the Fresno Bee, who he hopes will publish it in their Valley Voices department. Mr. Austin encourages all LPC regions to reuse, recycle, paraphrase his thoughts as they apply to your towns, cities, counties.



a college student when I was invited to a party that my friend was throwing. It was easy for me to think big as a child who was dependent on someone else's benevolence.

presented that our neighbors would provide for us. The tax supporters have Christmas presents, cars, and Saturday night parties that they want. They are sure that the rest of us will enjoy them, too.

Sales tax supporters—the tax proponents and the media who campaign, rather than report, for them—are asking each of us to think big with the presents that our neighbors would provide for us. The tax supporters have Christmas presents, cars, and Saturday night parties that they want. They are sure that the rest of us will enjoy them, too.

Sometimes, like a broken watch, they are correct. But their self-assurance leads them to implore us to take money from our neighbors who may have no interest in the presents or the cars or the parties, who are happily providing their own, or who don't see the benefits so obvious to the tax supporters. But that's OK for tax supporters because these goodies would be provided via the democratic process, much like the two wolves and one sheep democratically selecting the dinner menu.

Sales tax supporters suggest that the only reasons for anyone to ever vote against a tax

are a lack of vision and a lack of compassion. These arguments conveniently ignore the myriad consequences of taxation weighed against voluntary philanthropy. They ignore the

Rather than uniting a community, taxation divides, with contentious arguments over the comparative justification for services.

increased overhead on business caused by taxation, which deepens our double-digit unemployment. They ignore the decreased disposable income of individuals caused by taxation, which lowers our neighbors' economic options. They ignore the philanthropic spirit that Fresnoans, and Americans generally, have for the welfare of the less fortunate, especially children, that is masked and tempered by taxation. They ignore the responsibilities shirked by current and previous local elected officials who wax so eloquently about how vitally important are the services that the tax measures seek to fund, while themselves not acting to adequately provide for the services in their budgets. They ignore the intrinsic accountability that private enterprises have toward their donors that is eroded when the enterprises

are in the government realm and the donors are taxpayers.

Most importantly, the "no vision" and "no compassion" arguments ignore the worst consequence of taxation, the

promotion of the culture of coercion.

Taxation reinforces the ethic that what is mine is mine, and what is my neighbor's is negotiable. It fertilizes the weed of dependence which grows when people view a service as an entitlement that someone else is required to provide them. Rather than uniting a community, taxation divides the community with contentious arguments over the comparative justification for services. Communities don't become fractured over whether a private aquarium or a Hooters is

justified, because free persons voting consensually with their dollars will determine that.

I would suggest that if you want the best Fresno possible, allow individuals and organizations to come together in a voluntary spirit and plan consensually the amenities they agree to work to provide. Let's approach our neighbors with a smile and an outstretched hand of friendship and respect, rather than with a club to beat them into fiscal submission. That is the real spirit of the "naysayer." That is the bright vision I see for a Fresno far happier and far more prosperous than the limited Fresno of confiscation and forced compassion.

A grown-up Fresno with grown-up attitude. ●

Rodney Austin is currently reprising his role as Chair of the LP of Fresno County (1996-1998). From 1999 to 2003, he served as Northern Vice Chair of LPC. Last November, California Freedom readers enjoyed another of his articles concerning his city, "Libertarians Disturbed by Sheriff's Counterterrorism Policy."

It's becoming tiring to hear sales-tax-increase proponents, especially those in the local media, constantly change the subject about tax measures.

They habitually characterize those who oppose local ballot measures to increase sales taxes as people who don't want Fresno to grow or improve or advance beyond mediocrity. Or they see people who don't vote for taxes as people who don't care about kids or the poor. Some like to name-call, using words like "naysayer" and "selfish" to describe us in slur-like terms.

It was easy for me to think big on Christmas mornings as a kid when I was about to receive presents from my parents. It was easy for me to think big as a teenager when I was hoping for my own car from my parents. It was easy to think big as

Love to Write?

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 how governmental policies affect small business owners in California.

We'd like **one more** writer to join our new Writers' Bureau. To participate in this opportunity to see your column printed in newspapers throughout the state, contact LPC Chair **Aaron Starr** at StarrCPA@PacBell.net.

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, go to our web site:



www.LPC.org

YOUR ad could be here.



Put your business or services in front of nearly 4,000 like-minded individuals monthly.

Contact us today for rates and information.

Call: (818) 782-8400
or E-mail: Advertising@LPC.org


Shopping for a home?

Tap into the brand new Libertarian Network of Realtors and help boost income to the LPC!

Longtime Libertarian and Chair of Gold Country Libertarians, Al Segalla, with his 25 years of experience as a Realtor, has created a way for you to work with Libertarian Realtors while benefiting the LPC. It's a Libertarian Realty Network! As directed by you, their Libertarian customer, Network Realtors will donate 20% of their Network commissions to the LPC or any other Libertarian cause you endorse.

Tap in! Visit www.BambiLand.com/NetWork.html

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



Albert J. Segalla, Realtor
Chair, Gold Country Libertarians

SEGALLA & ASSOCIATES

3224 Skunk Ranch Road • Murphys, CA 95247
(209) 728-2887 • alsegalla@jps.net
www.bambiland.com

Former Libertarian Candidate for Governor Plans to Sue Prosecutor for Fraud

by David F. Nolan
Co-Founder, Libertarian Party

Steve Kubby, the 1998 Libertarian candidate for Governor of California, is preparing to turn the tables on a police officer and prosecuting attorney who, in January, 1999, arrested Kubby along with his wife, Michele, for growing marijuana at their Lake Tahoe home. Steve has adrenal cancer, and uses cannabis for medicinal purposes.

Steve has always believed that this arrest was instigated by people who wanted to punish him for his outspoken views, and especially his emphasis on medical marijuana during his 1998 campaign. Recently, Steve and his wife, Michele, have discovered that their arrest was based on false information, and that the prosecuting attorney knew this. Using this information, their attorneys believe they can overturn Steve's convictions and send the prosecutor and arresting officer to prison! In a recent interview, Michele Kubby made the following statement:

"Our legal advisors are now confident that the evidence we have is sufficient to convict the prosecutor and arresting officer of fraud upon the court, suppression of evidence, and obstruction of justice.

"Here are just a few pieces of the evidence, which we think you will find very compelling. You'll see how a DEA report allegedly confirmed that a guest at our home, Pete Brady, was a Jamaican drug smuggler. The evidence will show that this nonexistent report was used fraudulently to persuade a judge to sign a search warrant. You'll also see how the prosecutor willfully and deliberately avoided having to produce this fraudulent DEA report.

"It all started with the Statement of Probable Cause to obtain the search warrant, which alleged: 'Brady was also

making up a report about someone to 'catch them' if the descriptive information wasn't included in the report? Anyone



• Crystal Kubby, here with parents, Michele and Steve Kubby, poses for a picture snapped by her older sister, Brooke.

checked through DEA's N.A.D.I.S. system and there were two returns found. The first returned was on Brady, Peter. This showed that Brady was part of an investigation in 1985 with the DEA office in the state of Florida. Brady gave information and/or was involved with the smuggling of large quantities of Marijuana from and/or to Jamaica. The second return was on Helbert, James. This showed that Helbert was part of an investigation in 1982 with the DEA office in the state of Florida. Helbert was involved with smuggling of marijuana in Jamaica as well. (James Helbert was an alleged alias for Pete Brady.)

"What is interesting about this quote from the statement of probable cause is that nowhere in this report is there a physical description of Pete Brady or James Helbert, nor were the social security numbers verified, nor birth dates verified. In fact, there wasn't any verification at all! What was to prevent any officer from

could have been Peter Brady or James Helbert.

"We are so grateful that Pete Brady took the time to follow up on the details of this statement of probable cause. He wrote the DEA to see if this N.A.D.I.S. report on him actually existed. When the DEA replied with a form letter checking off a box which stated that no such file existed, Pete was furious and wrote a second letter starting an appeal of action because he had gone to jail over this report.

"The DEA replied in a letter dated June 24, 1999, 'You were advised by the DEA on March 24, 1999 that no records responsive to your request could be located in the indices of that Office. It has been determined by my staff that its response

was correct. Inasmuch as appeals can be taken only from denials of access to records which exist and can be located in Department of Justice files, I am closing your appeal file in the Office.' This was signed by Richard L. Huff, Co-Director.

"Although we thought the DEA letters were compelling, we never got the chance to bring them up in our appeal, because the appeals court refused to hear our case unless Steve returned to California. If returned, he would have been detained in jail and who knows what would have happened to his health and life. There is no way I am going to allow Steve to be placed in such terrible danger again. His health has still not recovered since the arrest here in Canada.

"Fortunately, our newest legal advisor, Ed Pearson, came on board to help us clear up our problems in Canada. When Ed reviewed our U.S. case, he realized that fraud had clearly taken place and that we had legal standing to take court action.

"Shortly after receiving this extraordinary news, we found another amazing attorney, a gentleman named Bill McPike, who is based in California and is ready to take this to court. Bill has already won a statewide reputation as a court expert for educating prosecutors and the courts about medical marijuana by winning case after case. He is actually getting medicine returned to many patients.

"Five years of fending off these fraudulent attacks have exhausted all of the reserves we ever had. We must come to you again and ask you to help us fi-

nally clean up this mess and bring this rogue officer and prosecutor to justice.

"It is obvious that continuing this fight is vitally important to my family, but corrupt police and prosecutors are a threat to everyone's freedom. Now, more than ever, the American people need to know that any officials who break the law and abuse the public trust placed in them will be held accountable and brought to justice."

To move forward with their case, the Kubbys need your help. Please write a check to the Kubby Defense Fund, and mail it to KDF, 1135 Terminal Way, Suite 106, Reno NV 89502—or contribute on line at www.Kubby.com. Please give as generously as you can. Your future and your freedom may well depend upon the actions we take today to expose police corruption and hold the government to the checks and balances provided by our Constitution and Bill of Rights. ●

David F. Nolan was the prime mover behind the 1971 founding of the Libertarian Party. He earned a political science degree from M.I.T., and his career has included work in publishing, advertising, and marketing. Nolan was the Party's first national chair, and in 1996 he received the

Party's first Thomas Jefferson Award for lifetime achievement in advancing the cause of liberty. He originated the "Nolan Chart," a two-dimensional map that has replaced the left-right linear political spectrum in showing how different political systems relate to one another.



Meeting Notice

The quarterly meeting of the LPC Executive Committee will be held on Sunday, November 21, 2004, 10:00 A.M. to 5:00 P.M. at the Los Angeles Airport Sheraton Gateway Hotel 6101 W Century Blvd., L.A., 90045 (310) 642-1111

For details and last-minute changes, check our web site at: www.LPC.org/lpc-ec.html



All LPC members are welcome to attend.

Nominations Due by Year End



Three is the magic number. Advocate libertarianism in any of the following ways three times in 2004, and you may qualify for this year's Lights of Liberty awards:

- Get a letter published in a non-Libertarian publication
- Work at an Operation Politically Homeless booth
- Give a speech to a predominantly non-libertarian group

Awards will be given to all Libertarian activists who qualify.

To apply for the award, submit your name (or the names of others who engaged in outreach activity) by Dec. 31 to: www.TheAdvocates.org/lights.html, Lights@TheAdvocates.org, or (800) 932-1776. ●

LPC 2005 Convention

Feb. 18-20, 2005
Sheraton Gateway Hotel
at Los Angeles
International Airport

6101 W. Century Bl.
Los Angeles, CA 90045
(310) 642-1111

