

# Liberty for America

Journal of the Libertarian Political Movement

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## Oregon Wins JudComm Appeal! Hinkle Defies Judicial Committee! He Substantively Re-Dis-Affiliates Oregon

### A Suggestion to Congress

Letter to my Congress critters, regarding an Email I received from Senator Patty Murray:

Allow me to suggest a few "sacrifices":

The US Congress could make itself subject to all of its own laws.

The US Congress could reduce its own salary, and members could be required to cover all of their own expenses, as they did in the early days of our republic.

Now, if you want to do some SERIOUS budget reductions that don't involve cuts to social programs, social security, and Medicare, here are a few more suggestions:

Bring home ALL US military personnel from the 100+ countries where they are currently deployed, especially Afghanistan and Iraq, and close all military bases not located on US territory.

End the INSANE "War on Drugs" by decriminalizing use and possession of "controlled" substances; pardon all non-violent drug offenders currently incarcerated in Federal prisons; and stop the campaign of harassment of medical marijuana patients.

Adopt a more rational and humane immigration policy, so that millions of undocumented aliens can pay their fair share of taxes without fear of deportation. Their labor is a net economic benefit to our economy, and therefore the way we treat them is inexplicable.

End all special tax dispensations for mineral extraction (especially oil, gas, and coal).

End all subsidies to all corporations and agriculture for any reason.

End Federal subsidies to Federal election campaigns. (I don't need to be barraged with another round of mostly worthless advertising, consisting of meaningless sound bites, attacks on opponents, and platitudes; I can read about you all on the Internet.)

I'm REALLY, REALLY tired of being told WE need to "sacrifice" when Congress utterly has failed to do its job of keeping spending within sane, rational, and sustainable limits.

...Gene Hawkrige

As reported in our last issue, the Libertarian Party of Oregon, Wes Wagner, Chair, appealed the actions of the Libertarian Party National Committee to the Judicial Committee. After a hearing in which your Editor participated, Oregon won. The LNC Executive Committee majority lost. (See Oregon Wins!, following.) The LNC took the loss poorly.

Meanwhile, Oregon's Libertarian Party is organizing for its special nominating convention, to be held to nominate a Libertarian Candidate for Congress to replace the resigned David Wu. (Oregon Acts!, article following.)

There then came a pregnant moment of waiting. The LP.ORG web site gives links to every other state party web site. The link to LPOregon.org had been taken down by order of National Chair Hinkle as part of the ExComm disaffiliation drive. The National Party regularly sends contacts, volunteers, and a unified data base to each state party; those emails had ceased to go to Oregon. Day after day, the LNC did not restore its contacts with our Oregon Affiliate (Days of Silence, article below.)

The truth finally emerged. LNC Chair Mark Hinkle announced that he is unilaterally decreeing that our Oregon affiliate is dormant. In particular, Hinkle claimed that he could choose which Bylaws control the Oregon Party, and Wes Wagner is not its chair. (See Article, Page 5)

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## Gary Johnson, Libertarian for President?

We are presented with highly credible information that a senior member of the Gary Johnson campaign staff has contacted LNC member Guy McLendon. He raised the possibility that former New Mexico Governor Gary Johnson (who has been a Libertarian Party member since 1993) would be available to switch parties and run for our party's nomination, assuming that adequate support for his move is available. Other senior members of the Johnson staff have vigorously denied that Johnson is contemplating such a change.

McLendon is circulating to recent Libertarian Party National Convention delegates a survey from the "Committee to Recruit Gary Johnson", which by rumor is has as its leaders McLendon and a noted New Hampshire activist.

## 2014 NatCon in Ohio

The Hyatt Regency hotel in Columbus, Ohio will be the site of the 2014 LP national convention. The convention is set for June 27-30, 2014.

## Ballot Access

The National Committee has committed \$28,000 to help get ballot access (Party Status) for the Libertarian Party of New Hampshire. Status requires approximately 20,000 raw signatures, and allows nomination by convention. \$28,000 will actually not cover the complete ballot access drive. The NH drive, currently led by Rich Tomasso, is at last report looking for donors, fundraisers, and petitioners.

The Libertarian National Committee appropriated \$50,000 to support the campaign of Indianapolis City-County Counselor Ed Coleman. Coleman had been an At-Large office holder. He has switched party to Libertarian. In his forthcoming election campaign, he is running for a District seat, in the one District in which the incumbent Republican has no Democratic opponent. The rationale for providing the support is, as I understood it, that if we want more politicians to switch parties and join us, we need to provide visible support to the people who have already switched.

Rupert Boneham of Indiana is gearing up to run for his state Party's nomination for Governor.

## Oregon Acts!

We hear from Wes Wagner that the Libertarian Party of Oregon is holding a special convention to nominate a Libertarian candidate to run in the special election to replace former Congressman Wu. The convention will be held September 28. The major-party primary will be election day. The actual special election will be in January. We gather that Oregon Bylaws now in place block efforts to sabotage a Libertarian Party candidate, for example by urging people to vote NOTA or by running a Republican.

The Reeves faction in Oregon has the opportunity to try to use

some mechanism to put its own candidate onto that ballot, or to endorse the Libertarian candidate who comes out of the Special Convention.

## Some State Parties Are Raising Money

or so we hear. 2010 numbers are reported as

State	In	Out	
IN	\$54,823	\$56,769	
OH	\$43,000		
GA	\$39,889	\$40,000	
NY	\$15,000	\$45,000	plus \$25,000 from LNC
NJ	\$8,093	\$8,430	
MA	\$7,687	\$8,961	
MD	\$5,950	\$34,455	plus \$26,950 from LNC
KY	\$3,200	\$2,200	
NE	\$500	\$26,000	plus \$21,000 from LNC
VT	\$230	\$356	
RI	\$75	\$0	

The above was a response to an inquiry from the LNC Executive Director. The states are listed in order by the amount of money they raised, not counting income from the LNC.

## LNC Gave Its Mailing List to the LNCC

That's right, we have reliable reports that the LNC gave Wayne Root's LNCC its entire mailing list. The pretext is that the two committees must share information to keep donors under their limit. Readers who have seen the state chair data dump will note that the mailing list does not store contribution numbers every month, so sharing the LNC list with the LNCC does not directly solve the problem.

Readers familiar with donation reporting will realize that every large donor appears by month in the FEC reports, so what is actually needed is for the two committees to read each other's monthly FEC reports, or share data on a regular basis. You cannot break the FEC joint aggregate donate limit without at least one committee being required to disclose an individual donation to the FEC.

We gather that LNC Executive Wes Benedict expressed serious concern that the LNCC could share this extremely large list of national party members with other groups, for example the campaigns of particular candidates for our Presidential nomination. Because the list includes emails and phone numbers (neither needed for donation validation), it is somewhat valuable. We understand that the people with access to the list have

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agreed to keep it confidential, but only a bylaws change would be needed to allow the LNCC to do other things.

## LNC Contemplates New DC-Area Office

The LNC is contemplating buying or leasing a building or office. There is a total focus on something in the immediate DC area, without prior analysis of alternatives. However, the Watergate lease is about to expire, and would be extremely expensive to renew. By rumor, the facility will be the “David Nolan Memorial Building”. There was a vigorous dispute between some LNC members and the building committee about the wisdom of buying.

A complication is that the LNC would currently need to take on two mortgages, and probably refinance every 5-7 years, in order to purchase. Our sources indicate *“First of all, the true cost is \$925K after adding in the \$50K renovation costs (and ignoring moving costs, since they would apply whether we purchase or lease). It was proposed that we finance it with a \$740,000 1st Trust at 6.25% plus a \$110,000 2nd Trust at 8.5%, both amortized over 25 years but with balloon payments. That means that we'd have paid down the principal by a total of just \$80,000 after 5 years. After 5 years we'd still owe \$770K and have equity of \$105K (after a \$25K down payment and assuming an unchanged market value of \$875K).”*

We gather that fundraising is on the verge of raising enough money to cover the down payment.

### Sample—This is your sample issue of Liberty for America

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Liberty for America will be performing political acts, and other activities that the Federal government calls "Federal Election Activity" and hence FEC-reportable. We must therefore funnel dues to our PAC, "Liberty for America". Dues will not be used to support candidates.

Required Federal Notices:

Your Donations are not tax deductible. Federal law requires us to request the occupation and employer of donors of \$200 or more in a year. Paid for by Liberty for America. Your donations may be used in relation to a Federal Election.

Interested readers may wish to investigate what sort of commercial real estate is available near their home town for \$900,000 or so. Your target area is 2,846 square feet, but the price does not include \$400 a month for large outside storage arrangements. In many cases, the answer may include ‘new, large, snazzy, with plenty of parking and lots of libertarian volunteers’. If there are any readers with construction experience, you might want to advise us on construction costs say ‘not in a city, on a slab, 1-2 stories.

As usual, LNC Member Norm Olsen has — we are told — tried to talk sense into the rest of the LNC. We quote what was supplied to us as his wise and sensible letter:

Hello All . . .

This is not a “slam dunk”, it’s a ”slam dumb” move:

1 The big push for buying a building is that it will save money as opposed to continuing the lease at Watergate. This stands up only if you can honestly say that spending \$11,500 a month for a rat invested dump is smart business. This is identical to a used car dealer telling a minimum wage worker that they can save money by buying a Hummer rather than a Lamborghini. The true value of office space in the real world is \$10 per sq ft. For the equivalent space we now lease, that’s \$2,400 a month. Any savings over the Watergate which are less than \$8,000 a month represent a waste of membership money.

2 Oh yes, I forgot: We have to be where the action is! That’s absolute nonsense. In case you haven’t noticed, WE ARE NOT A PART OF THE ACTION!!! Paying \$6,000 a month to be in Washington DC is equivalent to my paying \$6,000 a month for an option on tickets to the next World Series game at Coors Field. Please, please, tell me of one single tangible benefit we derive from being in Washington DC that’s worth \$6,000 a month. Can you provide a single one? We are not a part of the action because we are, apparently, willing to waste \$6,000 a month on some illogical fantasy that we are part of the action.

3 Buying a building is a bet (i.e. a gamble) on interest rates. If you lease, and lease rates go up, you move to a less expensive/smaller place when the lease expires. There may be pain, but it ends after a survivable period of time. If you own and interest rates go up, you have just two options. Refinance at the higher rate or sell into a buyer’s market, thus losing your “supposed” equity, and your credit rating to boot. Interest rates are not going down. They can’t. They have been at zero for 10 years now. Thus, it’s a no brainer, interest rates will go up.

4 If we do achieve our stated goals and grow significantly, a leasing arrangement allows us to move to larger quarters without penalty when that time comes. If we own, moving to bigger quarters would require selling the building. If we are underwater at that time, forget continued growth. Even if we are above water at that time, a %5 real estate sales commission gets taken out off the top. Flipping real estate is not the purpose of a growing political party.

5 We are a political party, not a real estate investment trust. We should be concentrating our intellect, resources, and energy on politics; not gambling in the real estate market.

6 Currently, there is supposedly \$65,000 pledged to the project. The down payment is \$75,000, the renovations are estimated at \$50,000, and moving costs are estimated at \$50,000. So, even if all the pledges are honored, buying this building represents an immediate hit of \$110,000 in cash. This represents about 40% of the current cash reserve which took several years to build up.

7 Do you want to be part of a national political party which spends \$275,000 in 2012 for a building when it only budgeted \$9,000 for Affiliate Support in 2011? If we spend \$275,000 for a building 2012, will we be able to spend more than \$9,000 a year for Affiliate Support in 2012 (that works out to a whopping \$176 per affiliate per year)? Are you going to feel good about that making those fund raising calls? How long before we'll be asking for donations to the Toilet Paper Fund?

8 The proposal says we'll pay off the mortgage in 7 years. That implies we'll be sucking \$125,000 (in addition to \$1 million we need to operate) out of the libertarian fund raising pot each and every year for the next seven years. How are our affiliates going to raise the money they need when the "Building Fund" has already tapped donors dry?

9 Please ask yourself a simple question. Of all the small businesses you patronize on a regular basis (insurance agency, lawyer, doctor, dentist, chiropractor, financial planner, psychologist, barber, nail salon, vitamin shop, UPS Store, Hallmark store, hardware store, bakery, etc. etc. etc.), how many of them own their own building? Do you think there might be a reason for that?

Buying a building puts the LP into the real estate business. Our members contribute to our organization in order to promote liberty. That's what that money should be used for. To suggest that buying a building will save money is not truthful. The fact is that the party can lease office space for about \$2,400 a month. The idea that our office has to be in the DC core is nonsense. In this 21st century world, the only address that means anything is that which follows the (now optional) 'WWW' prefix. Again, please give me one, just one, benefit (other than an ego boost for us LNC members) that we get from physically residing in the DC core which is worth \$6,000 a month. I'm waiting.

Norm

In other news from LfA: National Party membership is down to 13,200 for August, a decline of 1200 in the last year. The LNC is looking at spending \$280,000 for ballot access for next year. Their Massachusetts number — \$25,000 — looks \$10-15,000 low to me. Personnel changes here greatly increase costs. We are advised that the LNC discussed candidate training support: there was no support for this option.

## Welcome to Liberty for America!

A magazine. A web site. An organization. **Liberty for America** has had several inquiries on launching **Liberty for America** Chapters across America. A draft set of state/regional By-Laws appears on the **LibertyforAmerica.Com** web site.

## Oregon Wins!

Judicial Committee Overturns ExComm

After a several-hour hearing, the Libertarian Party Judicial Committee retired and came to its decision. The Decision itself follows. You can read the dissents at [independentpoliticalreport.com/wp-content/uploads/2011/08/Decision-in-Wagner-vs-LNC.pdf](http://independentpoliticalreport.com/wp-content/uploads/2011/08/Decision-in-Wagner-vs-LNC.pdf). It's a graphic PDF, so the following text had to be retyped.

The decision reads:

### Appeal to the Judicial Committee of the Libertarian Party

Wes Wagner vs. the Libertarian National Committee.

The Judicial Committee decided, in a 4 to 3 vote, that the Action of the Libertarian National Committee and its Executive Committee was void, as it violated the Libertarian Party Bylaws.

Voting in the Majority: Gray, Hall, Sarwark, and Wrights.  
Dissenting: Latham, Holtz, and Sullentrup.  
opinion of the Majority, rendered August 25, 2011.

In the matter submitted to us as the Judicial Committee of the National Libertarian Party, both the appellant and the appellee agrees that still at this time there is an entity known as the Libertarian Party of Oregon.

We find that the Libertarian Party of a particular state, in this case the Libertarian Party of Oregon, is the entity that is recognized by the secretary of state, in this case the Secretary of State of Oregon.

That state's party that is recognized by the secretary of state may, under the bylaws of the National Libertarian Party, be disaffiliated by the Libertarian National Committee if 3/4ths of its members vote in favor of a motion of disaffiliation for stated cause. Then if that motion passes, there would at that moment be no Libertarian Party from that particular state. Thereafter, the LNC would be empowered under the bylaws to vote in favor of the affiliation of another Libertarian Party from that State, which party could then seek recognition from that state's secretary of state.

Based on the record presented to us, the LNC did not hold ei-

ther of these votes, and in fact no cause for affiliation was ever formally stated. But the LNC and the Executive Committee did purport to recognize and empower one group (the Reeves Group) over another group (the Wagner group) to represent the Libertarian Party of Oregon. This action was beyond the authority of the LNC or EC based upon the Bylaws, and is void.

Opinion of James Gray, joined in by Bill Hall, Nicholas Sarwark, and Lee Wrights.

The other three members of the Judicial Committee submitted dissents, asserting that the Executive Committee could decide who was the legitimate party leadership when there were several claimants, or that the opinion of the Oregon Secretary of State as to the identity of the Party leadership should not be binding. [Some majority members have disagreed that they felt bound by the Oregon Secretary of State opinion on the matter.]

## Days of Silence

The Oregon Appeal to JudComm had been opposed by a brief signed by 14 members of the National Committee, enough members to pass a disaffiliation vote if they all voted that way.

The defeated LNC faction appeared to take their defeat poorly. One LNC Member proposed "...Now I'm thinking individual members of the LNC are going to have to either sue the LP/JC over this overreaching opinion in federal court in DC, or the LNC needs to call a non-regular convention before December 31 to correct it."

There then followed a period of nearly two weeks in which the LNC failed to invert its substantive disaffiliation actions, namely removing the LP.org link to LPOregon.org and cutting off the Oregon Party from its national party "datadump" name lists. Finally questions began to be asked on the LNC. The response of the National Chair is the next article.

## Hinkle Defies Judicial Committee

In response to an inquiry from Mary Ruwart about why the LNC had not yet reaffiliated the LP-Oregon as their affiliate again, namely:

"...appears to require the LNC to recognize Wagner et al. as our LPO affiliate until such a time as there is 1) a formal disaffiliation or 2) a new election.

I noticed that the LPO website link is still not listed. I suggest that we add it back to be in compliance with the JC ruling.

Also, has M. Carling added Wagner et al. back to the state chairs list?"

National Chair Hinkle is reported to have responded:

Dear LNC,

I just re-read the JC's decision and have come to another conclusion.

The LNC EC's action never dis-affiliated the Oregon LP (and JC states exactly that in their ruling) and that was never part of the motion nor was it part of the EC's discussion in the first place.

The JC's decision, as I interpret it, is that the LPO (Libertarian Party of Oregon) has no leadership. Their Bylaws clearly state the term of office for the past LPO Chair, Wes Wagner, has ended along with the other past officers. The JC does not recognize the LPO leadership (Tim Reeves) that the LNC EC sought to recognize, therefor there is no leadership in the LPO.

The SOS there may still recognize Wes Wagner as LPO Chair (for life if he chooses), but we don't.

The U.S. Supreme Court has ruled that Party's may handle their internal affairs as they see fit and are not subject to the laws of the states that may try and override internal decisions of the LP.

See: March Fong Eu vs. the San Francisco Democratic Central Committee (decision February 22, 1989).

To quote, in part, from that ruling:

A State cannot justify regulating a party's internal affairs without showing that such regulation is necessary to ensure that elections are orderly, fair, and honest, and California has made no such showing.

Until the LPO can elect someone per their Bylaws, my ruling is that there is no leadership in the LPO and thus we are not required, nor would it be prudent, to send any membership data to them, nor link our web site to any faction that claims to be the leadership of the LPO.

Our Policy manual states:

Data Sharing with Affiliates

LPHQ will provide all officially recognized state-level affiliates with a list of Constituents residing in the area covered by that affiliate, within the first 5 business days of the month to the affiliate chair, or his designee.

Since there is no affiliate chair, or his designee, there is no one to send the data to.

The JC has prevented the LNC EC from recognizing the Tim Reeves faction and the Oregon SOS has effectively done the same thing.

So, the only fair and equitable solution for the LNC is to treat the LPO as a dormant affiliate until they can resolve their issues.

We have been cautioned not to get involved in the internal affairs of the LPO and to recognize the Wagner group would be doing exactly that.

Therefor, the LNC should take a hand off approach and let them come to some sort of resolution and then bring that back to the LNC.

That is my ruling. The LNC, as always, can override my decision if they think my decision is in error.

Yours in liberty.....Mark Hinkle, LNC Chair

P.S. I will instruct Wes Benedict and Robert Kruas to suspend any standard affiliate communication to the LPO until such time as they resolve their issues internally.

P.P.S. the LSLA is free to add, or not, Wes Wagner to its "state-chair" email list. The LNC has no jurisdiction there. "

Mary Ruwart instantly countered

"Mr. Chair,

The JC did not say that the LPO had no leadership. In fact, it said the opposite:

"We find that the Libertarian Party of a particular state, in this case the state of Oregon, is the entity that is recognized by the secretary of state, in this case the Secretary of State of Oregon."

That would be Wagner et al.

You tell us that we should leave the LPO to solve its own problems, a statement with which I agree. You then interpret the bylaws of the LPO, violating your own advice, and conclude that the term of office of Wagner et al. is expired, an interpretation that Wagner et al. don't agree with.

The proper course of action is recognition of Wagner et al. until Reeves et al. bring a successful suit in the Oregon courts."

Hinkle's response to Ruwart went

"Mary,

I looked in both the LP Policy Manual and in the Bylaws adopted in 2010 and can find no references pertaining to web links from [www.lp.org](http://www.lp.org) to our affiliates. None.

Therefore, that can't be viewed as a "constructive disaffiliation".

The part where the Policy Manual (Section 3.03) deals with Data Sharing with Affiliates does direct the LPHQ to send data to "the affiliate chair, or his designee". <someone needs to fix that sexist language>

However, as with affiliates that are dormant, we don't send data dumps to non-existing affiliate Chairs.

And as I've already pointed out, the LPO has no leadership, not withstanding the SOS's claim to the contrary.

The SOS claims Wes Wagner is the LPO Chair because Wes Wagner says so. Sorry, but I don't buy that circular logic.

Per LPO Bylaws, his term has ended. There is no replacement. Therefore there is no leadership of the LPO.

To recognize Wes Wagner would be interfering with the internal affairs of an affiliate by choosing one side over the other.

The JC has ruled we (the LNC EC) can't do that and so we won't.

For me to instruct the LPHQ to send data dumps to Wes Wagner would be in violation of the JC's ruling.

Sorry, but I'm not about to overrule their decision, as much as I disagree with it.

Yours in liberty.....Mark Hinkle, LNC Chair

And in response to LNC Alternate Brad Ploeger, Mark Hinkle claimed

Brad,

RE: what would stop me?

Nothing if they, in fact, have no leadership. And several states are exactly in that category.

We don't send data dumps to non-existing or dormant affiliates. How can we? Send data to who?

And sorry, but according to the LPO Bylaws:

SEC. 2. Officers and Manner of Elections. The officers of the Libertarian Party of Oregon shall consist of the Chairperson, the Vice Chairperson, the Secretary, and the Treasurer. Terms of office of all elected officers and directors shall begin immediately upon the close of the annual convention.

Nominations of all officers and directors elected at the annual convention shall be from the floor, no nominating committees being permitted. [20090314]

A. Limitations. All officers and directors shall be members in good standing of the LPO.

Although state offices or directorships may be combined, no member of the State Committee may cast more than one vote.[19970112]

B. Vacancy and Succession. In the event of a vacancy in the office of state chairperson, the state vice chairperson shall serve as State Chairperson until the close of the next annual convention. In the event of a vacancy in any other office or in the position of any committee person at large, the State committee may select any LPO member to fill any such vacancy until the next annual convention.

This is exactly what Tim Reeves and his group tried to do, i.e. follow their Bylaws after the close of their Spring convention.

The LNC EC recognized the Reeves group because they followed the LPO Bylaws and Wes Wagner didn't. He didn't even show up from what I've been told to the convention he called!

The JC overturned the LNC EC's decision, but as far as I know they did NOT overturn the LPO Bylaws.

Therefore, those Bylaws are still in effect. They are dated March 14-15, 2009.

And therefore, no leadership of the LPO exists because of the decision rendered by the JC.

The decision of the JC has effectively tied the hands of the LNC, short of a disaffiliation vote, so we cannot interfere with either side of this internal factional fight.

Any solutions to this battle will have to come from the LPO faction(s).

As everybody should know, the LPO has had, still has, and probably will have in the future some serious problems. They are, unfortunately, the poster child for dysfunctional affiliates.

I was approached by members of the LPO and invited to oversee their convention for a myriad of problems, some of them I consider outright fraud (disenfranchisement of Lifetime members).

For example: the memberships that were solicited and paid for, but held pending "approval" by the LPO Executive Committee were suddenly approved once it became known the Alicia Mattson and I were going to attend their convention last Fall.

Had we not attended, I'm convinced those membership

would still be "pending" by the Wagner faction.

Alicia Mattson and I know far more about the LPO problems than we care to know. And, while I don't expect everyone to "just trust us", please note there is more here than meets the eye.

And their problems run deep. Probably even deeper than Alicia Mattson and I know.

So, I would caution folks from jumping to conclusions. This is not a top down takeover of the LPO, nor any strategic shift to have the LNC control every affiliate. Frankly, we don't need the grief!

I view the LNC as a service organization dedicated to helping our members, our affiliates, our candidates, and our donors to accomplish what they, by themselves, cannot achieve.

For example, we employ Bob Johnson to find candidates to run as Libertarians. But, when he contacts an affiliate who says "hey we'll recruit our own candidates", then he backs off and leaves them alone. We're here to help, not interfere. Don't want our help, just say so.

But, that's not the case with the LPO.

Not only did they ask for our help, they desperately need it.

Theirs is a systemic problem that frankly needs a grownup to mediate and resolve.

And I had the overwhelming support of the entire LNC to proceed.

Sadly, the appeal and the decision by the JC has created it's own set of problems within the LPO.

As I see it, only the LPO can initiate a solution to their problems. And their time is short before the November 3rd deadline, after which it'll be in hands of the 2012 Convention Credentials Committee to decide who are official delegates to the 2012 Nominating Convention in Las Vegas. I don't really wish this mess on them.

And Brad to address your last concern, if I attend any convention between now and the 2012 LP Nominating Convention it'll be because I'm asked to attend. Nor do I plan to send "representatives" at every affiliate convention to insure that their rules are followed. My assumption is always that the affiliates can handle their affairs just fine unless they ask for help.

And I do hope that if we are asked for help, that we have the time and resources to do just that: help, not interfere.

Yours in liberty.....Mark Hinkle, LNC Chair

Ruwart has since filed a motion challenging the interpretation of the chair. The motion was seconded, it seems, by Vicki Kirkland, Doug Craig, and Norm Olsen. Ruwart's objection reads

"As you can see from the excerpt below, our Chair has ruled that the JC's decision means that the LPO has no leadership and that recognition of the Wagner group would be interference with the internal affairs of the LPO.

The wording of the JC decision reads in stark contrast to the Chair's ruling. The JC did not say that the LPO had no leadership. In fact, it said the opposite:

"We find that the Libertarian Party of a particular state, in this

case the state of Oregon, is the entity that is recognized by the secretary of state, in this case the Secretary of State of Oregon."

That means that Wagner et al. are the officers of the LPO. If the Chair doesn't want this, he needs to call for a disaffiliation vote.

Since the Chair did not call for such a vote, his ruling is a constructive disaffiliation of the Wagner group without the required 3/4 vote of the LNC that such a disaffiliation requires, a violation of Section 6.6 of our bylaws.

In making his ruling, the Chair violates the autonomy of the LPO and Section 6.5 of our bylaws, by interpreting the LPO bylaws to conclude that Wagner et al. no longer hold office, an interpretation which they do not agree with.

The JC decision makes it clear that if the LNC no longer wishes to have Wagner et al. as their affiliate they have no choice but to obtain 3/4 of the LNC vote. I respectfully request that the Chair withdraw his ruling and call for such a vote if his goal is to end association with Wagner et al. As I read our bylaws, that is his only option.

In the absence of such a withdrawal, I call for a vote to override the Chair's ruling."

Of course, in understand what the LNC is thinking the following mid-August message from Mary Ruwart, as forwarded here, may clear up a few things

"Dear Colleagues,

Late yesterday evening Pacific time, Ms. Mattson placed data concerning the selection of the 2012 National Convention site on her private list. This morning, I asked her why this information wasn't being shared with the entire LNC and have not yet received a reply.

My understanding is that several of you are not on this list, either because you chose not to be or you were not invited by Ms. Mattson. If you did not receive a copy of it, you may want to ask Ms. Mattson directly for it as it will be most helpful to have time to look it over prior to our meeting this weekend. "

That is, part of the LNC has a different set of data than the other part has.

## Wagner Appeals Again to Judicial Committee

As forwarded to us:

Mr. Hall,

As it should surprise no one, Mr. Hinkle is continuing to engage in acts of constructive disaffiliation. I anticipated that this would occur, which is why the issue of constructive disaffiliation figured so prominently into the arguments raised.

Since they are now trying to cleave the issue of your ruling, and shall as a course of conduct, always do it in a manner favorable to their faction with whatever rationalization required, and that their motivations from the beginning of the artificial crisis they sought to create in the first place was to seat a new leadership in this affiliate that was sympathetic to their personal aims, I am

certain this is all leading to their not recognizing our delegation to the national convention which, as can be reasonably construed, would likely vote in a manner that was not favorable to the status quo.

When the majority of your committee rendered its opinion, was it your intent to allow them the liberty to do as such?

Sincerely,

Wes Wagner

Chairperson, Libertarian Party of Oregon

## LNC on LNCC Hiring?

In a remarkable deviation from the notion that the Libertarian National Committee and the Libertarian National Congressional Committee are independent bodies, LNC Chair Mark Hinkle apparently asked the LNC if he should vote to support hiring ZZZ as an LNCC staff member. We have redacted ZZZ's name because he is an innocent bystander. The inquiry as supplied to us read:

“Dear LNC,

As you can see the LNCC is contemplating hiring ZZZ for \$750 per month to promote the LNCC.

In my role as LP Chair, I have single seat on the LNC board. I'm strongly inclined to vote against this hiring.

But, I'm open to hearing from others....barely.

As I noted in my response to Aaron Starr, ZZZ is not a current member of the LP, doesn't even list the Libertarian Party on his Facebook page, and notably does NOT list the Libertarian Party on his LinkedIN profile. However, 4 Republican groups are mentioned. Also missing from his LinkedIN profile is his time spent working for QQQ. I gather he's embarrassed about that.

Do we really want to hire a Republican/conservative to do the work of a Libertarian???

I think not, but I do want to hear from you.

FYI & RSVP.....Mark Hinkle, LNC Chair”

The job description, by the way, sounds extremely sensible. Naturally, Hinkle got advice. The long-time LNC member who did not know who ZZZ was, given who ZZZ is, was particularly astounding. Several ExComm members said Hinkle should not have asked the LNC. In the end, LNCC Chair Wayne Root justly and properly expressed his great displeasure with Mark Hinkle, for having taken this matter from the LNCC board on which Hinkle sits to the LNC National Committee.

## Far Right in New Florida Leadership

Our attention was drawn to a recent article Tom Rhodes, Florida Platform Committee Chair, under the title “The Trouble with Libertarians” <http://www.libertyflorida.org/?p=710> Speaking of a national Party Press release, he writes

“... we once again we shoot ourselves in the foot. We have again furthered our image of Amoral Atheistic Anarchists... ..By saying that, “Permitting couples to marry when they are of the same gender is a step in the direction of equality before

the law” he said the LP is willing to compromise its principles, and willing to alienate the majority of the population which hold the more than 5000 year old belief that marriage is between a man and a woman; thus supporting the idea that a small minority can use the force of government to change the very definition accepted for thousands of years, and force not only tolerance but acceptance of their beliefs and silence the majority. This at its core is contrary the Principles of Liberty. ...

The Christian principle of Equality under the Law, properly adopted by both our founding fathers and the Libertarian Party, should make the idea of providing any special privileges or punishments to anybody repugnant...

The LP could have taken a far more principled stand, and opened the LP up to both the LBGT community, and the majority of Americans who tolerate but don't condone homosexuality. .... What Libertarian Principle justifies laws that treat some people different than others?....

Libertarian ideology is rooted in the same principles that were used to form our constitution. Whether we want to admit it or not those are Judeo-Christian principles...”

## Ron Paul on Teen Birth Control

from the “Ron Paul Survival Report” (which, by the way, establishes internally that it was directly connected to the Congressman, not just using his name).

### The Norplant Solution

What do you do if an entire generation of young people, their consciences stripped of Western standards of morality, begin to imitate the rabbit population in their mating habits? In Baltimore, Maryland, the city fathers decided to make Norplant birth control available. That means that these people can hop from partner to partner without increasing the risk of pregnancy. What about the moral crisis? Norplant of course, does not address that and by making sex cost-free, it will actually increase the youth's desire for sex.

Norplant is treating a symptom, not the disease. The program is presently voluntarily, but I worry it will soon become compulsory for economic reasons. After all, \$750 for the cost of an implant is cheaper than the prenatal care of an infant. A principal of a large Baltimore High School explained that this was not a big deal and 'just another service'.

Baltimore has long been a progressive leader in the area of sex education, and for the distribution of birth control pills and condoms. I guess that didn't work too well in an amoral community. The dilemma they now face is that if all the girls have Norplant, there will be no incentive whatsoever to comply with the wishes of the social planners to use condoms. Universal use of birth control will encourage promiscuous sex and increase the incidence of AIDS.

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