A decisive victory — that’s how Libertarians are describing the outcome of the Steve and Michele Kubby medical marijuana trial.

On March 2, all medical marijuana charges against the Kubbys were dismissed, and a Placer County, CA judge reduced two remaining drug charges against Steve Kubby to misdemeanors.

"We've always said we would prove our innocence," said Kubby, 54.

The judge also ruled that Kubby, the LP's gubernatorial candidate in California in 1998, could continue to use medical marijuana as allowed under the state’s Compassionate Use Act of 1996.

"This has been a great day for patients, Libertarians, and the cause of health freedom in California," said state LP Executive Director Juan Ros.

The flurry of good news came three months after a hung jury — which was leaning 11-1 for acquittal — refused to convict the Kubbys on marijuana charges.

During the trial, the Kubbys had argued they were legitimate medical marijuana patients.

However, the legal battle is not over yet: Kubby said he may now launch a recall election against the DA who prosecuted him.

Sen. George Files Ballot Bills

Just two months after joining the Libertarian Party, Oregon State Senator Gary George has filed a pair of bills to ease ballot access barriers for Libertarians.

George, who became a dues-paying LP member in January while keeping his Republican registration, filed:

- SB 777, to allow minor parties with at least 0.5% voter registration base to maintain minor party status without having to get 1% of the vote in a statewide race. "This would allow [the LP] to forego unwinnable races and run our best candidates in smaller, more winnable races," said Richard Burke, George's legislative assistant and former LP State Chair.
- SB 747, to allow minor parties to gain major party status if they enroll 3% of registered voters, instead of having to get 15% of the vote in a statewide race.

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Ray Kirkus running for New Buffalo City Council

“Do not believe in increasing the spending limits of the city manager without city council approval.”

These are the words of Ray Kirkus, who declared himself a candidate for the New Buffalo City Council.

Mr. Ray Kirkus, who is the chairman of the Libertarian Party of Berrien County, will be challenging incumbent Mr. Jack Kennedy in the city council election of March 12, 2001. It is not official yet, however. Since this is a non-partisan race, Mr. Kirkus needs to gather 25 signatures, but not more than 50, from registered New Buffalo voters before he can be officially included on the ballot. The collection of signatures will begin on February 10th and must be submitted no later than February 20th.

There are several things that Mr. Kirkus aims to do if elected to the city council. One is to empower New Buffalo residents by working to take back certain controls from the state government and return it to the City of New Buffalo. “I believe more revenue generated by New Buffalo should stay in the community rather than having Lansing decide what’s best for us.”

He also wants to work on getting the city council to start being more accountable to the people of New Buffalo. “I will not rubber stamp unauthorized expenditures. I do not believe that the city council knows what is best for local residents. Local residents should be able to decide for themselves what is best, and take responsibility for those decisions. Councilmen are mere servants of the people.”

Mr. Kirkus believes that the city council needs to be accountable for every ordinance passed and every penny spent.

LANSING — Fresh from a presidential election in which third-party candidates could be credited or discredited with swinging the outcome, Libertarians from seven counties plan to meet here Saturday with hopes of forming a Southern Tier chapter of the party.

The meeting, billed as the first convention of the Southern Tier Libertarian Party, is scheduled for 4 p.m. at the Village Office Campus, 2333 N. Triphammer Road.

The agenda includes electing officers and a representative to the April state convention, said Alexandra Stocker, who is helping to organize the meeting.

The meeting grew out of an informal group of people who’ve been e-mailing one another. The national party provided a list of people in the seven counties with ties to the national party, Stocker said.

The counties are Tompkins, Schuyler, Chemung, Broome, Steuben, Tioga and Chenango.

The party has about 25 members — who have paid a $25 membership fee — in Tompkins County and close to 100 in the region, said William Kone, another organizer.

Nationally, the party has 300,000 registered members, almost twice the Greens and more than the Reform Party, said Kone.

Restrictive ballot laws require New York Libertarians to raise far more signatures than those of the major parties to get on the ballot, and the party isn’t officially state-recognized, said Kone.

The party’s 2000 presidential candidate, Harry Browne, drew about 340,000 votes nationwide, while Reform Party candidate Patrick Buchanan may have drawn conservative votes from George W. Bush, and Ralph Nader of the Green Party was widely seen as drawing votes from Vice President Al Gore.

Brown’s showing may have suffered from the closeness of the race and some Libertarians not wanting to harm the major-party candidate they were leaning toward, Stocker said.

The biggest push Saturday will be to make people aware of the Libertarian Party platform, which stresses personal responsibility and less government, and draws both liberals and conservatives, Stocker said.

It is against gun control and laws against abortion, for free trade and against most foreign aid, and abhors both drug laws and most business and environmental regulations.

The council voted 4-2 to appoint Republicans Todd Gunn and Les Boardman and two Democrats to be chosen by that party.

Council members Barbara Brenner and Connie Hoog voted against the motion, saying they did not want to appoint two people who have not yet been named.
San Rafael, Calif. — Advocates of marijuana use who won public approval of their cause in a 1996 ballot initiative are now urging recall campaigns against county prosecutors in California in an attempt to muscle law enforcement into accepting legalization of medipot.

Already, activists for the American Medical Marijuana Association (AMMA) in Orange County’s Dana Point have qualified a recall of Marin County District Attorney Pamela Kamena for a May 22 recall election. The special election will cost the county an estimated $500,000.

They group has also “warned” a half-dozen other district attorneys to cease prosecuting patients who smoke marijuana to ease the pain and nausea of some illnesses or face a recall. To force a special election, petitioners must collect valid signatures of 15 percent of voters who cast ballots in the last general election.

“We see recall actions as a means of convincing local prosecutors to comply with Proposition 215,” said Steve Kubby, founder and director of the AMMA. “This isn’t a vindictive thing on the part of patients. It’s a matter of survival.”

Proposition 215 legalized the use of pot for medical purposes with a physician’s recommendation. The initiative passed with 56 percent to 44 percent margin and has produced confusion and controversy ever since as U.S. attorneys, judges and some local sheriffs and prosecutors refused to recognize it as a defense in marijuana possession cases.

Statewide, defendants in 215 criminal cases have used it as a defense since the initiative was passed. Of those, 16 persons have been acquitted of possession charges.

In the Sierra Nevada mountain town of Auburn voted 11-1 to acquit Mr. Kubby of most of the marijuana-possession charges in a June 1999 raid on his home near Lake Tahoe. Mr. Kubby, who ran in 1998 as an independent for governor of California, and his wife were tried on a variety of drug-possession charges and police netted more than 100 small marijuana plants in that raid.

At least one patient and the county frequently confiscate their supplies.

“We’re looking at 300 people who lost their pot,” she said. “After they get arrested and lose their pot and go through all these hoops, only then are they let go. They’re harassing these poor patients to death.”

Opponents of the Marin County recall say the petition signature drive that qualified the initiative for a vote was misleading. The petitions, they note, did not mention medipot and instead attacked Ms. Kamena for prosecuting a woman convicted of falsifying a court document in a child-custody case.

Retired county Judge William Stephens told the San Francisco Chronicle he believes the recall effort is “a fraud being perpetrated on the citizens of this county. The primary interest of those seeking to advance the petition is to have the district attorney look when marijuana is in the county.”

Meanwhile, most prosecutors say they will not allow themselves to be pressured by any recall efforts.

“We’re not going to react to someone wanting to put some type of political pressure on us to make a decision on how we should apply the law,” said Edward Berberian, assistant district attorney of Sonoma County.

Californians out to recall anti-pot DAs

By Thomas D. Elias

SPECIAL TO THE WASHINGTON TIMES

San Rafael, Calif. — Advocates of medical marijuana use who won public approval of their cause in a 1996 ballot initiative are now urging recall campaigns against county prosecutors in California in an attempt to muscle law enforcement into accepting legal-
Libertarians talk boldly — of winning

Libertarian launches bid for governor

By Rick Klein

Marlborough — As he kicked off the Massachusetts Libertarian Party's annual convention yesterday, master of ceremonies Jim Sullivan made a bargain with the audience.

"You pretend that I'm funny, and I'll pretend that we have a hope in hell of electing someone," said Sullivan, a voice-artist and Watertown resident.

He was joking, of course, and the fact that Libertarians can engage in such self-deprecating humor is one sign of how far the party has come. Libertarians are flying high and talking big in Massachusetts these days as they look ahead to next year's elections.

"We're in great shape," said Elias Israel, the state party chairman. "We're growing fast."

The confidence is fueled in part by the exceptionally strong showing of Libertarian candidate Carla Howell in a US Senate race last fall. Howell received more than 308,000 votes, and while Senator Edward M. Kennedy crushed everyone else in the race, Howell ran nearly even with the Republican candidate, Jack E. Robinson.

That election has made Howell the state party's standard-bearer — and something of a hero to Bay State Libertarians. Israel said he'd love to see her enter the governor's race and further raise the party's profile in Massachusetts.

"There's a lot of name recognition built in for her. That's a valuable commodity," he said.

Howell said yesterday that she's received hundreds of e-mails urging her to run for governor next year. She said she is considering it but probably wouldn't decide for months.

Delivering the convention's keynote address, Howell said Libertarian candidates must make bold statements and can't be satisfied with gradual change. She railed against welfare, the war on drugs, public schools, and government as a whole.

"Boldness is the key to Libertarian breakthroughs," Howell said. "Small government is beautiful."

The 200 attendees gave her standing ovations before and after she spoke. Globe columnist Jeff Jacoby was the featured speaker during the convention's banquet last night.

The convention itself felt more like a corporate motivational retreat than a political event. Party members bantered with actors portraying George Washington, Benjamin Franklin, and Paul Rever.

But modern-day politics was definitely on the agenda, with party leaders signing up new members and starting to recruit potential legislative candidates.

With Massachusetts' Republican Party facing tough times, many Libertarians see an opportunity to fill a void. That could, in part, explain Howell's strong showing in the Senate race, in which Republicans offered Robinson little support, Israel said.

"People were looking for a real choice, and they found it in Carla," he said. "We'll see a couple of races where' electing a Libertarian to the Legislature 'could happen in 2002 and 2004."

Dean Cook of Beverly, who has sought the governorship and a state representative's seat under the Libertarian banner, said the party is growing healthier in Massachusetts with each passing year. When he first joined the party about 15 years ago, Cook said, he knew just about everyone who went to the meetings.

"Now, every time we come, there's new people," Cook said. "And as I tell people all the time, even if we don't win, there's no such thing as a useless race."

By Michael Symons

Trenton—Mark Edgerton, the Libertarian candidate for governor, kicked off his long-shot campaign yesterday at the Statehouse and introduced his campaign manager — a Minnesotan who guided former wrestler Jesse Ventura's successful run for governor there in 1998.

Edgerton said he's in the race to win, not merely to match the 4.7 percent of the vote Murray Sabrin drew as the Libertarian candidate for governor in 1997. Campaign manager Doug Friedline said the same, conceding it won't be easy but promising to make some noise.

"We are really here to move ahead and try to win this campaign," Friedline said. "I'm not sure the landscape will allow us to do that at this point, but I really believe there is a huge opportunity to at least control the outcome of this election."

"And like in Minnesota, where none of the media believed we had a chance to win, it can happen," said Friedline, who noted Ventura — best known for wearing a feather boa and smashing metal chairs over wrestling opponents' heads — was outspent 25-to-1.

Edgerton has virtually no name recognition among voters. The 50-year-old lives on Lake Hopatcong and is a licensed real-estate broker. He works in national real-estate marketing and sales and founded his own realty company at age 27.

"Like Thomas Jefferson, we adhere to the notion that the government that governs the least, governs the best. Thus, wherever and whenever we can, we strive to reduce the size and power of government," Edgerton said.

Edgerton said the drug war failed and had "a terrible impact on our civil liberties." He said competition creates better schools and supports tax credits for families to defray school-tuition costs. He said the state should create the position of lieutenant governor.

He said property taxes shouldn't be the exclusive method of school funding. He supports having a constitutional convention to reform the state's tax system. He supports efforts to stop the state from selling school-construction bonds without getting voter approval.

But he was most expansive about a campaign-finance bill pending in the state Assembly, which has already passed the state Senate, that would permit candidates to receive public-matching funds only for contributions raised from New Jersey sources.

Edgerton said two aspects of the bill would harm any third-party and serves to protect Senate President Donald DiFrancesco, R-Union, who will seek the GOP nomination.