

California Freedom

July 2006

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

LP Convention Report

by **Brian Holtz**

Member, Libertarian Party of CA

Portions from the National LP Press Office

The Libertarian Party convened its two-day 2006 National Convention in Portland, Oregon on July 1 with over 300 delegates in attendance. First-time convention attendees unanimously acclaimed

future conventions go more smoothly. The most controversial changes were related to dues and the Pledge. The convention created a category called "sustaining member", requiring a \$25/yr donation to be counted in officer elections and delegate allocation. There was vigorous debate over a proposal to soften the language of the Pledge. Many moderate reformers feeling it's too often an

baggage. The convention then passed the committee's consolidated Sexuality and Gender plank, and also its Immigration plank. The Immigration plank now advocates "control over the entry into our country of foreign nationals who pose a threat to security, health or property". Committee rewrites

"We've reduced our own party bureaucracy to allow candidates to express their own viewpoints while holding true to our statement of principles."

— *Shane Cory*
Executive Director, LP

of the Government Debt and Conscription planks were also approved. The only committee proposal that didn't pass was the Taxation plank. The new plank would have said that some taxes (e.g. income and estate taxes) should be repealed before others (e.g. on pollution and consumption.) Enough delegates were suspicious of this prioritization to prevent the needed 2/3 majority.

Sunday opened with a long-shot effort to change two words in the Statement of Principles. "Cult of the omnipotent state" would have become "idea of unlimited government", but the roughly 45 delegates who liked the current language were enough to meet the 1/8 threshold for blocking such a change. [Editor's Note: 7/8% ultra majority was needed for it to have passed.]

Election Results

Ballot-access workhorse **Bill Redpath** easily won the LP Chairmanship over purist **Ernest Hancock** and reformer **George**

• See **Convention** page 4



Photo: Elizabeth C. Brierly

• California's Angela Keaton was elected as an At-Large Member of the Libertarian National Committee. Keaton, an attorney, also serves on the LPC Executive Committee.

■ Election 2006

CA Majority Sides with LP on Props

First the bad news: Just over one-quarter of the California electorate voted in the recent primary election.

The good news: When those dutiful Californians cast their votes on June 6, they joined

with nearly 14,000 Libertarian Party voters to defeat the two ballot initiatives which would have wasted a big bundle of taxpayer money on publicly

• See **Primary** page 5

Libertarian Andy Favor in Two-Way Race Against Republican

Voters across the nation flood newspapers with letters calling for an end to the Republican and Democratic monopoly on the political process.

In the midst of the desire for a new choice, it appears voters in California's 73rd Assembly District have just received such an opportunity.

In Orange County's fiscally Conservative and Socially open-minded political atmosphere, the Democratic Party failed to get a candidate on November's ballot.

They paid a \$1,000 filing fee for their candidate in January, but the filing wasn't completed. In the recent primary election Democrats failed to qualify a write-in candidate.

Libertarian Candidate **Andy Favor** says "this time voters can look at the issues and not worry about a

• **Andy Favor**

wasted vote." He continues, "This year it's a two person race where both Candidates are fiscally reasonable." Andy adds "in me however, voters have a Candidate who seeks a smaller and less intrusive government."

Andy ran for this seat once before, and got a respectable slice of the vote. He has grander plans for this election, saying: "We plan on doing targeted mailings, will evaluate televi-

• See **Favor Race** page 5



Photo: Elizabeth C. Brierly

• The California delegation included (L to R) Marcy Berry, San Francisco LP Vice Chair, Morey Straus, Director of Free State Project, Scott Lieberman, Santa Clara LP Campaigns Chair, and Brian Holtz of San Mateo County. Lawrence Samuels, LPC Northern Vice Chair, is standing at right.

outgoing Chair **Michael Dixon**. Their approval was largely for his aplomb and fairness, not to mention good humor, throughout the weekend.

Delegates spent half of the first day working through the excellent report of the Bylaws Committee. Many useful changes were passed that will make Party operations and

impediment to recruiting and retaining members who aren't anarchists. The proposal as finally amended couldn't muster the 2/3 majority needed to pass. Delegates seemed about evenly split on the question.

The rest of Saturday was devoted to the Platform Committee Report. The Committee had been working to continue the 2002 and 2004 initiative to reformat the Platform. Their goal was to consolidate or streamline some of its most verbose and picayune planks. Platform Committee Chair **George Squyres** convinced delegates to suspend the rules and consider the committee's proposal to combine 12 planks into 5. The effort succeeded, as the only substantive change involved was to correct some accumulated linguistic

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SUBMISSION DEADLINES

All news stories, editorials, and announcements are due six weeks prior to the month of publication:
• Sept 2006: Due 7/20/06
• Oct 2006: Due 8/20/06
• Nov 2006: Due 9/20/06

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. All contributions subject to our editorial guidelines.

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File to Run for Office Today!



FROM THE CHAIRMAN



I want you to do something right now. Okay, maybe after you read this column.

Call up your county's election official [URL: <http://snipurl.com/electme>] and tell them your home address. Next, ask what offices you're able to run for. Then, file for one of these offices.

There are hundreds of winnable offices up this

November and in many cases all you need to do is file.

These offices include special districts, including water, fire protection, recreation, health, hospital and even mosquito abatement districts. As well, there are many school districts needing leadership, both small and large.

Almost all of these offices have easy filing requirements,

with no signature gathering required.

How to Choose?

My advice: File for the smallest district you can—they're the most winnable. In some of the smaller districts you can win without even a contest—literally not enough people file for the office to have an election.

If there is a contested race, you are much more likely to win with an active campaign than if you seek higher office.

You can make a big difference, both in your

community and for Freedom, by running for one of these seats.

And by starting off at the lower rungs, we improve our chances later of moving up the election ladder.

If we Libertarians want to create change, we have to win elections. And to win elections, we have to run candidates.

The filing period begins July 17 and ends August 11.

Call right now.

— Aaron Starr
Chairman

You Mean State Gov'ts Don't Know How to Balance a Budget???



FROM THE EXECUTIVE DIRECTOR



I've taken a short sabbatical from my duties as your Executive Director and am working in Atlantic City, New Jersey. Turns out my stay here has been at a historic time! I got to see first-hand how inept politicians are at handling our money. Obviously, California pols are no better, but this was a doozy!

The ruling Democrats in Trenton couldn't agree on a

budget in time and, for the first time, had to shut down state offices—including all non-essential workers. Those politicians (talk about non-essential workers!) sent state employees, including casino inspectors, home. That closed the casinos for 3 days.

Someone please explain the logic to me. They have a massive budget deficit, so they shut down an industry that brings in tax revenues of 1.3

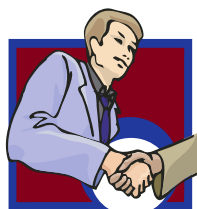
million dollars-a-day. Forty-five thousand state workers and 20,000 casino employees—the people who elected them—were out of work thanks to the greedy politicians

And, reminiscent of our geniuses in Sacramento, in all their haggling there was no talk of cutting anything... only arguments about the best way to increase taxes. If the Sacramento and Trenton lawmakers were running your household budget, you'd be out on the street in no time.

As California Libertarians, we

have to make sure that such a debacle doesn't occur in our state. With the elections looming in November, it's more important than ever that we vote for Libertarians who will work toward decreasing the entitlements and programs that are bankrupting our great state. Libertarians who will, as Michael Cloud says, "Shrink government so small that it'll fit on the side of a milk carton."

— Dave Ruprecht
Executive Director



Welcome Aboard!

The Libertarian Party of California welcomes the following new members who joined between April and early July 2006. You have joined a select group amongst the almost 14,000 Californians who voted for our statewide Libertarian Party candidates in the June primary.

Alameda County	Joanne Diaz.....	San Leandro
Los Angeles County	Robert Harrisen.....	Montrose
Orange County	Randal Oakley.....	Laguna Hills
	Adam Pilchman.....	Laguna Niguel
	Michael Thomas.....	Orange
	Andrea Walker.....	Lake Forest
San Diego County	Steven Currie.....	San Diego
	Michelle Thompson.....	San Diego
	Katherine Wilson.....	San Diego
San Mateo County	Kathleen Boyle.....	South San Francisco
	Jerry Litteer.....	Redwood City
	Theodore Nicou.....	Atherton

Happy Birthday

to Libertarian Party Cofounder and Elder Statesman, **John Hospers**, the LP's First Presidential Candidate!

And may he have many more!



Photo: Elizabeth C. Brierly

Give Us Your Perspective!

See YOUR viewpoint in print right here at *California Freedom*. Send us your comments, photos, reports on local libertarian events, or tell us about how government policies affect your line of business.

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Operation Breakthrough is Back!

The Libertarian Party of California elected 15 Libertarians to office in 2000, 7 in 2001, and 29 in 2002.

To achieve this, we persuaded Libertarians to run for Special District offices where they lived. It was a challenge figuring out which Libertarians lived in each district; mail and phone them. But, our effort paid off handsomely on Election Day. We called this effort *Operation Breakthrough*.

By the time you read this, we'll have sent 15,795 letters to registered Libertarian voters. In those many letters, we ask them to run for 736 different offices.

The generous support of the following people made that mailing possible:

Jose Aguilar
Robert Ainsworth
Thomas Alfieri
Donald Ames
Robert Andres
Cathy Andrew
Daniel Arbuckle
Michael Arndt
Ard Atheian
Hendrik Bakker
Charles Bangert
Jane Bartlett
Matthew Barnes
Eileen Baumel
Loren Baumgardner
Michael Bennett
Michael Benoit
Mark Blackburn
Linnea Blair
Melba Blodgett
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Frank Bowman
Bruce Boyd
Wilbur Breckenridge
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Carole Brow
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Gregory Brown
Lorraine Brown
Ted Brown
Douglas Brown
Joyce Bryans
Patricia Buls
Thomas J. Burlingame
Edward Callahan
Chris Calvi
Noel Camico
Richard Cammon
M Carling
Allen Carman
John Chadwick
Steve Chubbic
Frank Clement
Earl Cleveland
Roger Clough
Joe Cobb
Bruce Cohen
Clint Cole
Ronald Colfer
Dolores Comstock
Eli Wallac Conroe
Carolyn Cook
Christopher Cook
Curt W. Cornell
Harvey Cowan
Don Cowles
Joan Crishal
Joan Crishal
Edwina Olga T. Cruz
Sarah Daniels
Henry David
David Devine
Elaine Dewees
Tony Dias
Mark Dillon
Bert Donaldson
Neal Donner
Bruce Dovner
Wade Dowdell
Will Dvorak
Donald Ekhoff
William Elbring
Janet Emmerich

Judy Faas
Dan Fernandes
Rikko Field
Richard Fields
Jeff Fleming
Richard Fogel
Steven Fox
Charles Frazier
Dick Frieden
Patricia Garcia
Eugene Garner
D.K. Garrison
Daniel Garske
Ernst Gastelger
Francis Gay
Marius Gedgaudas
Robert Geison
Howard Geoghegan
Allyn Gerard
Nicholas Gerber
Stephanie Gibson
Florence Ginsburg
Wayne Goff
Elbert Goldweber
Mikel Goodwin
Ray Greer
Todd Griffin
Aubri Gullett
Theodora Guy
David Hackson
Chandler Hadraba
Lowell Hahn
Vance Halasi
Bruce Hamilton
Delvin Harbour
Keith Harris
Dwight Harris
Harland Harrison
Herbert Hart
Susan Hart
Douglas Hayden

FE Heinzelman
David Hess
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Robert Hord
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Stephen Hoverman
Frederick Huck
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Jonathan Hughes
Elmo Huston
Milton Hyman
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Brian Schar
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Helen Schuenemann
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Jeffrey Skinner
Forrest Smith
Lois Smith
James Smith
Jeff Smith
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Marc Solomon
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Bradley Wiitala
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Stephen Wolfe
Kay and Bob Wosewick
Laddie Yamada
Alexander Yuill-Thornton II
Jan-Mark Zentler
Norman Zucker



**No arsenal,
or no weapon in the
arsenals of the world,
is so formidable as
the will and moral courage
of free men and women.**

— Ronald Reagan

We're not done yet.

The next step is to follow up with phone calls to secure commitments to run for office. We will guide each candidate through the filing process.

We think this will be our most successful *Operation Breakthrough* yet. But we can't do it alone. Of course, we do need *your* help.

How would you like to have a guaranteed success?

Well, we have a way to guarantee this. Don't send money today. Instead, please make a performance-based pledge.

Imagine how wonderful it would be to have more elected Libertarians making California communities more free and prosperous. What would this be worth to you?

Tie your gift to our success, and we'll be partners in liberty! Send your pledge to:

Libertarian Party of California
14547 Titus Street, Suite 214
Panorama City, CA 91402

We're counting on your help.

Only your participation will make completing this important project and electing dozens of Libertarians to office in California possible.

Please make your pledge today!

Yes! I Want to Elect Libertarians to Local Offices Here in California

I'm willing to *pledge* the following amount towards *each* Libertarian victory achieved by Operation Breakthrough 2006:

\$10 \$25 \$50 \$100 \$250 \$500 \$1000 \$ _____

I've made a pledge, but I'm worried that you'll be *too successful*. I very much want to help, but I can only afford a limited number of victories, so please cap my pledge at _____ elected Libertarians.

What the heck, go whole hog and elect as many Libertarians as you can! I'm good for it. And don't forget to enter my name into a drawing for the free dinner for me and my guest with one of the Libertarian victors I'm helping elect to office.

CLIP AND SEND TODAY

FIRST NAME: _____ LAST NAME: _____
SIGNATURE: _____ PHONE NO. () _____
STREET ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____
EMAIL ADDRESS: _____ (print very clearly)
OCCUPATION: _____ EMPLOYER: _____

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LPC-2006-07-15



Santa Clara Libertarians Cultivate Coalitions

by Lois Garcia

Events Chair, LP of Santa Clara

The table in the Il Fornaio's Wine Room was elegantly set. Silver bowls cradled creative assortments of artisan breads. Each place held a notepad and pen (thanks to LP of Santa Clara County member, **Charlotte Monte**) and a copy of "The Reed Reforms". Polished wood and silverware gleamed.

At 7:45pm sharp we were ready for dinner with San Jose councilman and mayoral candidate, Chuck Reed.

Councilman Reed arrived, wearing a red, white and blue tie. He was accompanied by several members of his campaign team. Reed's Campaign Manager came early to mingle.

LP of Santa Clara County members and officers attending included **Charlotte Monte, Jerry Mungai, Ray and Gloria Strong, Mark Johnson, Scott Lieberman, Mark Hinkle, Kevin Takenaga**, and myself.

After an introduction by LPSCC Chair Kevin Takenaga, Councilman Reed gave us a substantial talk—not some easily dismissible sound bites. With a wry sense of humor, he described his background and his



Photo: Mark Hinkle

• L to R: Lois Garcia, Kevin Takenaga, San Jose Mayoral candidate Chuck Reed, and Jeff Janssen, Reed's campaign manager, were a few of those who dined and exchanged ideas at the LPSCC event on April 24 in San Jose.

voting record.

He also spoke of the principles by which he intends to govern the tenth largest city in America, San Jose.

An open question and answer session followed the speech. Mark Hinkle, LPSCC Newsletter Chair, documented the evening with photographs.

The night passed quickly. Lively discussion was balanced by thoughtful assessment on both sides. Every LPSCC member and officer contributed at

least a couple of questions as we went around the table, unscripted.

Councilman Reed addressed every question. Some questions, he answered more than once.

Councilman Reed, who gave a very conservative impression, supported many Libertarian positions. Far from being offended by the Libertarian views, Chuck aligned with us on the issues we raised that night, such as eminent domain and preschool. When asked by Mark Johnson, our Secretary, if he wanted our endorsement, the Councilman said, "Sure! I want to represent all the people in San Jose, not just some."

Chuck Reed:

- Signed the People's Petition against Eminent Domain Abuse
 - Was against the local 1/2¢ sales tax increase (a.k.a. the BART-and-Switch)
 - Was against Proposition 82, (a.k.a. Preschool For All)
 - Wrote "The Reed Reforms," 34 suggestions to return to a government held accountable to the people
 - Voted against the \$507 million San Jose City Hall
 - Voted against a \$4 million NASCAR race subsidy
- Reed's Campaign Website is www.ChuckReed.com. ●

LOIS GARCIA is a system administrator currently working in the open source community, who believes strongly in self-ownership and self-defense. She serves on the Board of the LPSCC as Events Chair and is #1 Alternate on the LPC Executive Committee.

Editor's note: The LPSCC has not yet endorsed a candidate for San Jose Mayor. They will hold a candidate endorsement meeting on August 24.

Convention

continued from page 1

Phillies. Reformer **Chuck Moulton** edged California's **M Carling** in both rounds of Vice-Chair voting. Former Chair **Geoff Neale** defeated incumbent Treasurer **Mark Nelson** 191-77 in the most contested election of the day.

The five winners of the LNC At-Large seats were Admiral **Michael Colley**, California's **Angela Keaton, Pat Dixon, Jeremy Keil** and **Dan Karlan**. Keaton's perfect radio voice, along with her evident passion and wit, made her a formidable podium presence. When asked afterward if she's ever lost an election, her reply was "only for Miss Congeniality".

Platform Vote Results

A resolution to impeach Bush and Cheney fell short of the required threshold. Delegates then approved a resolution condemning the UN Small Arms Review Conference. Around four that afternoon there was an announcement of the results

Communication, Privacy, and Freedom/Responsibility. Thus, as the convention adjourned it was clear a significant statement had been made by delegates.

The Libertarian Party Statement of Principles is the guiding philosophy behind the platform. While the platform has been trimmed, the guiding principles behind it remain unmodified. What hasn't changed is the Libertarian Party still favors smaller government, less taxes and more freedom.

To some degree, platform changes were a matter of house-keeping. For three decades, platform planks had been piling on top of one another, with no effective process for limiting their multiplication. National Executive Director **Shane Cory** said, "Consider it a move that we'd love the federal government to make." He continued, "We've reduced our own party bureaucracy to allow candidates to express their own viewpoints while holding true to our statement of principles."

Mister Cory had more to say about this, "The delegates of



Photo: Elizabeth C. Brierty

• During the 2006 LP National Convention in Portland, Oregon, LPC Chairman Aaron Starr (right) gathers together the California delegation, including Joe Cobb, Rich Newell, Richard Winger, Jose Castaneda, Morey Straus, Sandra Kallander, Brian Holtz and others.

of the Platform plank retention voting. This had been a mere formality at previous conventions. The 9 consolidated planks approved during the Platform debate represented 17 of 2004's 61 planks, and of the remaining 44 planks only 6 achieved the plurality needed for retention. They were Guns, Drugs, Religion,

the 2006 Libertarian National Convention freed candidates for office to address issues with reason and in real time." And then, "For that, they should be applauded." "Now we can get down to the business of moving public policy in a libertarian direction by building a political party that elects Libertarians to public office."

Director Cory closed the thought by stating, "If there was any mandate from this convention, it's an overwhelming majority of the delegates wished to engage in the activities which help us contest and win elections. Our theme of 'Uniting Voters' was persistent throughout the convention."

The new platform of the Libertarian Party may be found at www.lp.org/issues/platform_all.shtml or <http://snipurl.com/platform06>. ●

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■ Property Rights Commentary

Post-Kelo Reforms Aren't Strong Enough

Can our system protect property rights if community "needs" reign supreme?

By **Adrian Moore**

Vice Pres., Reason Foundation

One year ago, the U.S. Supreme Court's *Kelo vs. New London, Conn.* decision on eminent domain created two diametrically opposite reactions.

On one hand, many local government officials rejoiced at the affirmation of what they feel is a necessary tool to re-shape their communities.

On the other hand, people everywhere grew so outraged by the decision that, in the words of my colleague Len Gilroy, "the *Kelo* decision was actually one of the best things that ever happened to the national property rights movement, as it clearly imprinted the precarious nature of private property rights in the public consciousness and

has inspired significant reforms nationwide."

This divide has reinforced the fact that the *Kelo* decision threw the issue of eminent domain back to the states. The fight over where, when and how eminent domain can be used is now mostly a local fight, spilling from state houses down to inner city and suburban neighborhoods and even to rural areas.

Most state legislatures responded to *Kelo* by considering some form of eminent domain reform legislation. Californians will likely vote on at least one eminent domain reform initiative this November.

What looked like a firestorm at first, soon fizzled out.

A law holding back federal dollars from cities that abuse eminent domain passed the House but languishes in the Senate. And President Bush signed an executive order reinforcing the importance of property rights and calling on the Senate to finish the job. As the Institute for Justice keeps pointing out, a lot of good reform came in the wake of the outrage the *Kelo* decision created.

But what looked like a firestorm at first, soon fizzled out. As Harvard Professor David Barron describe in a *Boston Globe* article, most states did not actually pass legislation. And what did pass often had loopholes big enough to shove a Home Depot through.

It turns out that city and county governments and redevelopment authorities are



Photo: M. L. Brown

pretty effective lobbyists. They managed to retain significant authority to use eminent domain and define limits in very subjective terms. As Barron wrote:

Americans have long been of two minds when it comes to property rights. On the one hand, there is the old notion that ownership is inviolable, a home is a castle, and the government has no business messing with private property. On the other hand, there is the equally old notion that no one is an island and that the value in any individual's property is deeply interconnected with the health of the community as a whole.

Legislation that did pass often had loopholes big enough to shove a Home Depot through.

In a world where legislators and much of the public have gone squishy on what constitutes a right, passing a

law that just plain says, "Look, you can't take someone's land except on rare occasion for public infrastructure projects like roads and dams" appears just too extreme.

There is a conflict of visions. As one city manager told me, "What about the community's right to improve itself and create new jobs?" There is a reason the Constitution doesn't mention "community rights" — they don't exist. Only individuals have rights. Communities have desires.

Local officials' grand redevelopment schemes emanate from a vision in which community needs trump individual ones—on everything from public safety to how a privately-owned building should be used.

That is why the loopholes Barron described are so pernicious. It may seem reasonable to allow eminent domain to deal with "blight," because we all picture scenes of the worst of inner city Detroit—

burnt out shells of buildings and empty lots piled high with trash—when we think of blight. But in fact, blight is in the eye of the beholder. Everything from an empty desert to a row of successful businesses to a neighborhood of modest but clean homes has been declared "blight" by people who have an alternative vision of how their community should look.

This is all the more reason to acknowledge those legislatures and local governments that did pass rules limiting eminent domain abuse in the aftermath of *Kelo*.

There is a reason the Constitution doesn't mention "community rights"— they don't exist.

But with a resurgent property rights movement out there, the issue isn't going away. I expect there will be more high profile suits like *Kelo* and more local interest in cases of outrageous eminent domain abuse. *Kelo* brought the issue out into the light of day. Local officials can no longer exercise eminent domain on the q.t. without anyone noticing.

And *Kelo* has brought us back to a fundamental question: Is a property right in fact a right that the system will protect even when it's most inconvenient to do so? ●

Adrian Moore, Ph.D., is Vice President of Research at Reason Foundation.

Primary

continued from page 1

funded preschool, and inappropriate statewide bond funding for library improvements.

The top vote-getter among the LP's statewide candidates was **Gail Lightfoot**, who advanced to the November ballot with 13,976 LP votes in her quest to become Secretary of State. Other LP candidates for statewide offices also received upwards of 13,000 votes in each of those uncontested primaries.



• **Gail Lightfoot**

Kennita Watson led all the LP candidates in garnering the highest proportion of the total votes cast in a race. She received 4,775 LP votes out of the 865,158 votes cast for the seat on the State Board of Equalization, District 4.

In three State Senate districts, Libertarians appeared to be the only third party candidates who received votes.

Congratulations to all LP candidates. For the rest of us there's much work to be done to bring more votes to LP candidates in November! ●

Source: The League of Women Voters' website, www.SmartVoter.org.

Favor Race

continued from page 1

sion advertising and earn media attention."

Andy is a CPA, married with two children and a small business owner. He's active in his Church, Scouting, Youth Soccer and Chamber of Commerce.

His background as an advocate for small business leads him to focus his campaign using the Libertarian Party's strategy

of branding the LP as "the party of small business."

In preparation for this race Mr. Favor formed a candidate's committee so he could raise and spend more than \$1,000. ●

Online donations to Favor's campaign can be made at www.AndyFavor.com or can be mailed to his campaign address:
Andy Favor for Assembly
34145 Pacific Coast Hwy, #244
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Anaheim's New Approach Toward Television Service Competition

By Adrian Moore

Reason Foundation

Some of us rejoice when a monopoly gets taken down a notch or ten by new competition. Others do not. Cell phones are a great example, a new technology that has really changed how the old monopoly land line companies operate, and brought huge benefits to consumers.

A similar change is now happening with television. Telecom companies can now provide video services just like the monopoly cable companies have done for decades.

We should be rejoicing that soon customers will have choices of television services and not a single provider.

But many cities instead are fighting the change, eager to keep the franchise fees they charge monopoly cable providers and the power to dictate some of the content they provide.

A few states, like Texas and Ohio, have passed legislation requiring that cities allow com-



peting services. And a few mayors have spoken out in favor of competition in television providers and an end to the old monopoly regulations and franchise fees.

Mayor Curt Pringle of Anaheim has been out front on this. Many of you know Anaheim because of Disneyland, but it is also one of the largest cities in America and has enjoyed a great

In the past, cities have created an unfair tax on cable companies and limited competition in a fast-paced, competitive marketplace.

deal of high quality development thanks to great

leadership from the Mayor and city council and good policy decisions that embrace competition and markets. Mayor Pringle's perspective on competitive telecommunications providers is that will give city residents more choices, a better deal, and make the city more competitive with its neighbors.

Anaheim filed a statement on the issue with the Federal Communications Commission (FCC). I highly recommend it and the principals it espouses as educational and as a model to emulate. You can read their press release on it and their full statement to the FCC at www.anaheim.net/administration/PIO/news.asp?id=678.

I am eager to know if any other communities have taken similar stances, or would like to. Please let me know (e-mail Adrian.Moore@Reason.org) if you have done so or are aware of any who have.

A few paragraphs from Anaheim's press release sum it up:

By eliminating franchise fees and impediments, Anaheim leaders believe there will be equitable competition amongst the variety of video service providers. In this way, and without local government interference, the various systems compete in price, quality and quantity and consumers decide which service provider they prefer.

In the past, local governments have used money collected by the franchise fee to help pay for basic city services, such as public safety, traffic management and street and sidewalk preservation. But, in fact, cities have created an unfair tax on cable companies and limited competition in a fast-paced, competitive marketplace. Furthermore, many cities have used these fees to fund essential municipal services unrelated to cable.

Some believe that private companies should be required to give free services for police and fire stations, schools and libraries in exchange for doing busi-

Redistribution of Wealth



by Kenneth E. Nahigian
Member, Libertarian Party of CA

How ironic that good skeptics who scoff at perpetual motion and "free energy" might believe the government can create wealth simply by redistributing it, moving it from one pocket to another. The terrible truth of this should be clear. As the government moves our money about, gleefully skimming a bit each time to pay for its bureaucracy, the overall economic "pie" slowly shrinks, actually raising the average poverty level. (In the investment world, the term for it is "churning.")

The skim-off might be worse than you think. I recall one Cato Institute study that estimated that for each dollar the government appropriates for a social program, only 20 cents, average, filters down to recipients.

To be sure, you can easily point to individual cases where wealth redistribution helps people—or seems to. But please remember the classical distinction between what you see and what you don't. What you don't see is the business owner or investor forced to cut back his operations, reduce capacity, because of the skimming. What you don't see is the consumer, bled by taxes or inflation, who foregoes a home improvement, or decides to shop at Wal-Mart instead of Macy's. The broad result: fewer jobs, smaller raises,

and less quality of life. And for every 1 person we see lifted from poverty by a government program, we don't see the 1.1 nudged onto skid row.

less quality of life. And for every 1 person we see lifted from poverty by a government program, we don't see the 1.1 nudged onto skid row.

A good, I should say bad, example was the Great Society. In 1964, President Lyndon B. Johnson wanted a "war on poverty." Congress obligingly launched a whole forest of programs: rent subsidies, increased welfare, tuition grants, Medicare and food stamps, Head Start, the Job Corps and VISTA. By the mid-80's it had already spent about a trillion dollars to help the poor—a serious piece of change in those days. What happened?

In the mid-1960s, the U.S. poverty rate was about 12.1% (down from 22% in the late '50s). In the '70s, as the Great Society programs began to kick in, the poverty rate actually rose slightly, then settled again.

Here's what the U.S. Census Bureau reported for 2003: "The poverty rate in 2003 rose to 12.5%, up from 12.1% in 2002. About 35.9 million people were poor in 2003, 1.3 million more than in 2002."

Compulsory charity plants seeds of resentment, usurps our natural love of our fellow man, begs corruption, and creates a culture of "gaming the system".

So far, this also is all Econ 101, and I'm convinced most of our political leaders know it, or at least suspect it in their wormy little hearts. But to preserve their cushy jobs, they don't speak of it. That goes for Republicans as well as Dems. Thus do I say, a pox on both their houses.

Don't misunderstand me. I'm all in favor of charity. Compassion, the willingness to help others, is one of the highest flights of the human spirit. But, it should be *voluntary*, not



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

www.CA.LP.org



■ The Libertarian Perspective Series

More Prisons? *Don't Build It!*

by **Fred E. Foldvary**
Professor of Economics

As long as California's prison population keeps growing, the state has to provide more prison facilities. In his "State of the State" address, Governor Arnold Schwarzenegger called for the construction of two new prisons to provide space for 83,000 new prisoners over the next ten years. The governor declared, "We must keep the people safe. I say build it."

The California Correctional Peace Officers Association (the prison guards' union) also advocates building two new prisons. Assembly Speaker Fabian Núñez has initiated legislation (AB2902) to issue bonds to pay for the expansion of California's prisons. These bonds would *not* require voter approval.

The state's prisons are indeed crammed to over capacity. The Department of Corrections has reported that the 33 state prisons are overcrowded by 188 percent. Some inmates have to sleep in hallways, gyms, and classrooms. Overcrowding in prisons makes prisoners more frustrated, inducing greater violence. Prisoners join gangs for protection, and the gangs threaten the staff. Crowding also spreads disease. Already overburdened, the state's prison medical system was placed in federal receivership in 2005.

California's spending for prisons this year will already be greater than \$8 billion to

confine over 170,000 prisoners. State spending on prisons has zoomed by 65 percent during the past three years. With the state budget already in deep deficit, more bonds for more prisons will increase the state's interest payments, which eventually have to be paid from taxes.

The alternative to an increase in this public expense is to reduce the prison population. One reason for the growth of the prison population has been the "Three Strikes" law and mandatory sentencing guidelines. Such rigid sentencing requirements imprison criminals whose third crime is not proportional to the punishment. The discretion of judges can be faulty, but rigidity is not an effective remedy, as it creates its own injustice and social costs. A

A fundamental problem with our criminal law is that it turns victimless acts into crimes.

reform of these sentencing rules would reduce the prison population. Also, as suggested by the prison guards' union, the state could have an early release for prisoners convicted of nonviolent crimes.

Another way to reduce the prison population is to reform the parole system—to develop alternatives to prison for the



Photo: M. L. Brown

• **Ironwood State Prison, covering 1,700 acres near the Arizona border, houses over 4,600 inmates in facilities designed for 2,200 (the population of a large public high school.) Its annual operating budget is \$113,500, and it employs 1,200 staff.**

thousands of parolees who violate conditions of parole, often for minor technical violations.

These reforms would help, but they do not confront the fundamental problem with California's criminal law: It turns victimless acts into crimes. A marijuana grower and user who does not drive under the influence of mind-altering substances does not harm others. He or she is no more a threat to society than a person who legally consumes alcohol. Decriminalization would eliminate the expense of catching, trying, and incarcerating drug makers and users and would also reduce thefts by addicts.

Other victimless acts that have been criminalized by California state and local law include prostitution, gambling, and nudity. In 2005, some women removed their tops in a

political protest called "Breasts not Bombs" in Sacramento. The California Highway Patrol warned that baring their breasts could result in their arrest and inclusion in the state's list of sex offenders. Officials at the Sacramento County district attorney's office also pondered whether to list the women as sex offenders. The D.A. did not file charges, but the threat to do so puts women in California at a risk of being put in prison and listed as sex offenders just for going topless even as a political protest. Does this law keep the public safe?

Drug use, prostitution, and gambling are crimes only because they offend the cultural values and beliefs of some persons. Yet there are many offensive acts and depictions, such as violence and T-shirts with crude messages, that are not crimes.

The Libertarian Perspective's op-ed columns are sent via e-mail weekly to over 2,000 news media professionals in California.

If you know of any reporters, editors, publishers, or other parties who might be interested in receiving *The Libertarian Perspective* and Libertarian Party of California press releases, please have them visit TinyURL.com/df3uy.

Libertarian Party members are also welcome to join the list!

In a truly free society, speech that is displeasing is nevertheless permitted, as the test of liberty is the tolerance of acts that some find disagreeable. If we truly want liberty, we have to tolerate activities that we may find disgusting but that do not involve force or fraud.

The decriminalization of these acts would reduce the prison population and also free up police resources to focus on theft and violent crimes. The governor well said that we must keep the people safe. This goal can be accomplished better by criminalizing only acts that coercively harm others. Californians should tell their representatives, "Don't build it." Instead, release and don't arrest those who have committed only victimless acts. ●

FRED E. FOLDVARY, Ph.D. teaches economics at Santa Clara University, where he is also an associate of the Civil Society Institute. He has written several books, including *Soul*



of Liberty, *Public Goods and Private Communities*, and *Dictionary of Free-Market Economics*.

Wealth

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compulsory. Funding for government programs (taxation) is compulsory by definition; the government imposes it by force of law; it is bureaucratic and monopolistic; people tend to view it as a cost, not an indulgence; consciously or unconsciously, they cut back other spending to compensate, resulting in the effects outlined above. Compulsory charity also plants seeds of resentment, usurps our natural love of our fellow man, begs corruption, and creates a culture of "gaming the system" (i.e., poor fathers abandoning their families so the latter can qualify for aid, poor women conceiving children as meal tickets,

disability fraud, etc.)

By contrast, voluntary charity is a pleasure for the giver, almost an investment, because the giver can direct his money where he wishes, where he finds it deserving, where he sees it doing the most good. In fact, the charities I support with cheer are organizations like FINCA, the Carter Center and the Heifer Fund, which work on the teach-a-man-to-fish principle. If you trust the reports of charity watchdog groups, these are the most effective.

If you win the lottery tomorrow, and decided to give 10% of it to the poor, where would you direct it: to a private charity, or to the government?

Politicians and civic leaders routinely promise to run their offices "like a business." Have

you ever heard an entrepreneur promising to run his business "like the government"?

Can I have my trillion dollars back? ●

Nobody spends somebody else's money as carefully as he spends his own.

Nobody uses somebody else's resources as carefully as he uses his own.

So if you want efficiency and effectiveness, if you want knowledge to be properly utilized, you have to do it through the means of private property.

— Milton Friedman

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“Libertarian Counterpoint” Sacramento’s Premier Libertarian TV Talk Show

Richard Fields produces and hosts “Libertarian Counterpoint” for weekly showing on public access cable television. He invites guests, mostly libertarians, to join his discussion panel.

T.E. “Tom” Wolfe, radio show host for “A Word in Edgewise” on KVMR, Nevada City, and **Art Tuma**, chairman of LP Sacramento County were guests on July 6, 2006. Topics included North Korea’s missile tests, the

Mexican Presidential election, NASA’s space program vs. private ventures, New York’s Mayor Bloomberg’s appreciation for illegal immigrants, LNC platform changes, more personal data on EU passports, EU tax on jet fuel and an Army officer who refused assignment to Iraq.

Starting in October 1990, LP Sacramento volunteers met twice a month to produce cable TV shows at Sacramento’s public access cable TV station.

In 1972, Fields hosted a weekly radio news show, and some young Libertarians asked to be his guests. He invited them, heard them and decided that he too was a libertarian.

Fields knows the Party’s past and he knows current events. Richard introduces topics with lucid reporting, asks leading questions, lets his guests speak, and with quick wit, segues from one topic to the next. He’s a master moderator.

“Libertarian Counterpoint” is shown by cable TV studios in the neighboring communities



• From left to right: Roberto Leibman, Placer County LP Chair; Richard Fields, producer and host of “Libertarian Counterpoint”; Lawrence Samuels, LPC Northern Vice Chair, on the set of the talk show.

Photos: Lawrence Samuels

• At right: Sacramento County LP Chair Art Tuma, operates the camera. On July 6, Tuma appeared as one of the show’s guests.



of Davis and Roseville and to Sacramento Valley and adjacent Sierra foothill communities served by Sierra College and Butte College.

To show the Libertarian Counterpoint on your local public access cable TV, contact Sacramento Chair Art Tuma.

He will gladly send you free

DVD copies. E-mail contact: tuma2k@hotmail.com.

More photos and details about the program can be viewed at <http://www.LPSacramento.com/tiki-page.php?pageName=LibertarianCounterpoint>.

Kubby Nominated to Advisory Board

As of June 15, **Steve Kubby** was informed that he had been nominated to serve on the Mendocino Medical Marijuana Advisory Board. The board is a local citizen’s group that includes former Mendocino Sheriff Tony Craver, who set up the first county ID card program for medical marijuana users in the state, along with

District Attorney Norm Vroman. Also on the board are Senior Ukiah Planning Commissioner Judy Pruden, Registrar of Voters Marsha Wharff, and Bill Cortney, M.D. ●



• Steve Kubby

In the beginning of a change, the patriot is a scarce and brave man, hated and scorned. When his cause succeeds however, the timid join him, for then it costs nothing to be a patriot.

—Mark Twain

Submitted by Mark Laythorpe, LP of San Diego County

Meeting Notice

The next quarterly meeting of the **LPC Executive Committee** will be held on **Saturday, August 5th**, 10 AM–6 PM in the Boardroom of the **Sheraton Gateway Hotel** (www.sheratonlosangeles.com/) near Los Angeles International Airport.

For more details, check our web site at: www.CA.LP.org



All LPC members are welcome to attend.

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Photo: Matthew Dailey

Who is this man?

Hints:

- He is the Vice President of a financial consulting firm, and he his wife Melinda live in Leesburg, VA.
- He is currently Treasurer of FairVote, the Center for Voting and Democracy, which is an electoral system reform organization.
- He has run for Governor of Virginia.
- He was LNC Treasurer for two terms.
- Recently he has been serving as National Ballot Access Project Manager for the LP.
- He was just elected LP National Chair on July 1.

For his name, see the article about the LP Convention on page 1.

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