

## **BEFORE THE JUDICIAL COMMITTEE OF THE LIBERTARIAN PARTY**

**Date:** 9/10/2021

**Petitioner:** Caryn Ann Harlos

**Subject:** Appeal of the LNC motion of 9/5/2021 to suspend and remove Petitioner as LNC Secretary, as per Article 6, Section 7 of the Bylaws.

**Interested Parties:** Members of the LNC, Joe Bishop-Henchman, as he is alluded to in the in the initial complaint against the Petitioner.

**Relief requested:** Voiding of suspension motion and reinstatement as LNC Secretary.

**Committee Jurisdiction:** Article 8, Section 2, subsection b, regarding suspension of officers, and Article 8, Section 2, subsection d, regarding voiding of National Committee decisions.

**Appearing on Behalf of Petitioner:** DL Cummings

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### **Petitioner's Notice of Filing Exhibits as Requested by Judicial Committee and Notice of Filing Supplemental Exhibits**

Petitioner is continuing the lettering convention starting with the Exhibits to the Petition and used in the Petitioner's Amended Exhibit List.

# EXHIBIT Q

Report with Unanimous Recommendations  
Investigatory Committee of the Libertarian Party of New Hampshire  
Patrick Dixon, Chair; Rufus Holt Craig, Joseph Geddes Buchman,  
members  
(Appointed 28 June 2021)

Revision 0, 30 August 2021

Revision 1, 1 September 2021: Correction of JBH email lock date, date of  
CAH interviews of LPNH and Jillettea

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## **EXECUTIVE SUMMARY**

Past LPNH Chair Jillette Jarvis acted to address concerns with the LPNH Communications Committee, and only after all such reasonable efforts had failed, began preparations to resign. After informing others of her intent, a suggestion was offered by another party to try a different approach, one that was seen as preventing damage not only to the LPNH (in the form of feared disaffiliation) but also to other Libertarian state parties, to candidates nationwide, some of whom had contacted her directly, and to the LP itself.

We conclude that LNC Chair Joe Bishop-Henchman was involved in, guided, and likely initiated, this strategy. We conclude that his actions were inappropriate. We further conclude that at least one other actor was involved. We were unable to identify that individual(s). We further find that Joe Bishop-Henchman deleted LP.ORG email evidence prior to his resignation.

## **SIGNIFICANT DATES**

In the days and weeks leading up to 07 June 2021, former LNC Chair, Joe Bishop-Henchman, exceeded his authority by interfering in the internal affairs of a state affiliate. This was memorialized in a letter dated 07 June 2021 from then LNC Chair Bishop-Henchman to then LPNH Chair Jilletta Jarvis.

The letter was not, as later characterized, routine; it was both ***unique*** and ***unprecedented***.

No similar letters were found by this committee during our investigations. No former Chairs, several of whom were contacted by this committee, no current nor any former LNC members, no LP staff reported having seen a similar letter at any time in the past.

Efforts were made by several individuals to warn Mr. Bishop-Henchman from taking this action. Robert Kraus is to be especially commended in this regard. Others report having made this attempt, most on Thursday 03 June 2021 just prior to the events of the weekend of 05-06 June 2021 and have remained anonymous.

In interviews, staff, former LNC members and officers repeated their understanding that the LNC, its officers and staff, act to recognize state affiliates, and never the individual officers or membership of any given state affiliate.

Mr. Bishop-Henchman resigned on 17 June 2021, approximately 11 days after sending the above-mentioned letter.

An examination of Google logs suggests to the point of near certainty that Joe Bishop-Henchman destroyed emails sent to [Chair@lp.org](mailto:Chair@lp.org) (which redirected to [joe.bishop-henchman@lp.org](mailto:joe.bishop-henchman@lp.org)) late on 15 June 2021 or early on 16 June 2021. This destruction of emails was not discovered until our committee received from LP HQ the email archive of Joe Bishop Henchman on 09 August 2021.

This delay in accessing the former Chair's former email account made the recovery of the deleted email record impossible.

Emails sent to [Chair@lp.org](mailto:Chair@lp.org) were reported to this committee as having gone unread from the time Joe Bishop-Henchman stopped reading them until Whitney Bilyue was appointed as LNC Chair on 12 July 2021.

The committee sees no other actions worthy of further investigation.

Having completed our work, which is explicated in the following sections, we respectfully offer the following unanimous recommendations:

## **SECTION I RECOMMENDATIONS**

RECOMMENDATION A: Candidates for election to the LNC, as well as applications for paid positions as staff or contractors, should abide by a new policy, that there is no distinction on the political battlefield between one's professional and one's personal social media. Personal social media accounts for the duration of one's employment or service as a volunteer or contractor should be seen (as they are by our opposition, and by potential voters) as relevant to the perceptions of, and reflective of positions taken by, our candidates.

What was seen as "personal" in the early days of social media, is no longer personal, not in academe, not in business, and especially not in politics. Social media posts which unequivocally damage or pose a significant threat to damaging recruitment of candidates, number of donors and size of their donations, and especially serve to reduce votes for Libertarian candidates are cause for termination in the case of staff, removal from the LNC for members, and/or censure, repudiation or other disciplinary action(s).

RECOMMENDATION B: Disaffiliation of a state affiliate should only occur following a vote of state Chairs, or by delegates assembled in convention. The Chair of the LNC can and should act to immediately suspend affiliation with a state affiliate, subject to the approval by a supermajority of the LNC, and then subject to a vote by a super majority of state Chairs. In all cases such votes may occur either in person, electronically, remotely, or by some combination of the above approved by the delegates, Chairs, or relevant body. In no case should the LNC Chair act unilaterally to recognize a new affiliate.

RECOMMENDATION C: Party business when conducted by email should be conducted using only Party email addresses (@lp.org; @lphq.org). Party emails should not be used for conducting personal business. Personal emails should not be used for Party business.

All Party emails should be archived by the Party in a secure server, the equivalent of Google Vault. Access to be granted only by a vote of the LNC, in response to a subpoena, or by individuals appointed by the LNC following the resignation, incapacitation or death of a LNC or staff email user.

The intent of this policy is to provide a resource for both full compliance with applicable government-imposed regulations, to ensure continuity of operations, to protect against the possibility of an evil-actor, and ultimately to fully document our history.

Deletion of emails should never compromise a member's fiduciary responsibility. For example, deletion of spam is entirely appropriate, but the substantive records of Party business are considered a fiduciary asset. LNC members are granted @LP.ORG addresses for the duration of their tenure and should, consistent with their duty, prepare their account for transfer to their successor at the end of their term.

Party emails are Party assets.

RECOMMENDATION D: Future IT policy should be developed with the possibility of an evil actor in mind. For example, the LP may consider providing secure computers and/or cell phones to LNC members and staff with instructions to conduct all Party business only on those devices during their tenure on the board, or employment as a member of staff.

RECOMMENDATION E: The destruction of emails in the [Chair@lp.org](mailto:Chair@lp.org) account amounts to obstruction of the intent of the LNC. We recommend that any future such deletion of records by LNC members or staff be considered cause for removal. The LNC may, through its attorney, review the possibility of legal action, as well as a formal repudiation and condemnation of the destruction of Party assets that occurred in regard to the [Chair@lp.org](mailto:Chair@lp.org) emails in mid-June.

Party records, including emails and other such related electronic assets, like the written records which predated them, belong to the Party, not to the user.



RECOMMENDATION F: Newly elected board members, staff, and contractors should sign, perhaps as part of their NDAs, an explicit statement regarding the expectation for preservation of electronic records consistent with the continuity of operations, protection against nefarious actors, legal and regulatory requirements, and historical preservation consistent with the other Recommendations above.

## **SECTION II AUTHORITY**

The motion from the LNC creating our committee was (references to pertinent sections of our report denoted in red):

*“The LNC shall appoint three members to lead an ad hoc investigative committee which shall provide an independent and thorough investigation into the events which lead to the splintering of the Libertarian Party of New Hampshire affiliate. The Libertarian National Committee shall vote on the three members immediately following the passage of this motion. No LNC members shall be eligible to serve on this Committee. Anyone selected must be a member in good standing of the National Party for a minimum of the past five (5) years.*

*“The purpose of the committee will be to provide recommendations to the LNC, JC, and Bylaws committee to resolve any revealed issues (See Section I). As well as set forth a model of investigating internal matters (See Section IX).*

*“The committee shall*

*form a timeline of events starting at the LP New Hampshire’s 2021 state convention until present (See Section III)*

*determine the involvement of LNC members and LPNH leadership (See Executive Summary and other supporting contents)*

*interview pertinent members of both organizations (See Section IV)*

*review any pertinent party run or personal electronic communications of the parties involved (See Section XII)*

*and set forth a model of investigating internal issues not covered by the Judicial Committee, Bylaws, and Policy Manual.*  
*(See Section I and IX)*

*“The investigative committee shall be granted access to and review any Party emails and communications, the LNC shall direct Executive Director Tyler Harris to assist in the procurement process. During the course of the investigation, the investigative committee may seek permission to access any LPNH assets they deem pertinent by the appropriate local affiliate officials.*

*“The investigative committee shall report back to the LNC for a debriefing of the findings, recommendations, and final thoughts upon the investigation being determined complete by the committee. The committee shall disband upon its final report.”*

The LPNH investigation committee members were notified of their appointment on 6/28/21 by acting LNC Chair Ken Moellman.

### **SECTION III SUMMARY SCHEDULE OF RELEVANT EVENTS**

Our Recommendations in Section I were based on an examination of the facts, evidence and reasoned analysis conducted by the committee which we present in the remaining sections. Dates highlighted in red are either approximate or estimates based on available information.

DATE	TIME	EVENT	RESULTS
7/1/19			LPNH files for 2020 election cycle
8/6/19			LPNH files with state of New Hampshire as a business
March 2021			Jilletta Jarvis instructed treasurer Sean Dempsey to file with the state of New Hampshire
3/7/21			Jeremy Kauffmann tweets on his personal account about transpeople murder and no taxation
3/19/21	9:09	LPNH 2021 Convention	Jilletta Jarvis calls convention to order
3/19/21	9:42	LPNH 2021 Convention	Bylaws changes were made
3/19/21	13:42	LPNH 2021 Convention	Jilletta Jarvis elected chair
3/19/21	14:00	LPNH 2021 Convention	Nolan Peletier elected vice chair
3/19/21	14:13	LPNH 2021 Convention	Andrew Olding elected secretary
3/19/21	14:30	LPNH 2021 Convention	Nicholas Sarwark loses to NOTA for treasurer
3/19/21	15:19	LPNH 2021 Convention	Sean Brennan elected treasurer
3/19/21	15:36	LPNH 2021 Convention	Slate of 5 people appointed to Communication committee.
3/28/21	10:10	LPNH Meeting	Jilletta Jarvis calls meeting to order
3/28/21	11:17	LPNH Meeting	Social Media Policy: Brian Shields to speak with Darryl about relinquishing ownership of the Facebook Group. Darryl later refused.
3/28/21	11:17	LPNH Meeting	LPNH FACEBOOK GROUP POLICY adopted
3/28/21	11:48	LPNH Meeting	Motion to create a new Facebook Group – Passes

3/28/21	12:52	LPNH Meeting	Motion to add Jeremy Kauffman to Communications Committee – Tabled until after the Communications Committee has met for the first time.
3/28/21	13:13	LPNH Meeting	Motion to suspend Jackie Perry indefinitely from the new Facebook Group – Passes
5/20/21			LPNH tweets "The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants. It is its natural manure - Thomas Jefferson"
5/20/21			After the above tweet, Jilletta Jarvis reaches out to Caryn Ann Harlos to help mediate
6/2/21	10:18		LPNH posts repeal civil rights act, affirmative action tweet
6/2/21	15:57		LPNH postes Gitmo tweet
6/2/21			Source confirms that he was informed of the plan for LPNH a "week before it happened"
6/7/21			Boston Globe reports LPNH tweet "Legalize child labor. Children will learn more on a job site than in public school"
6/7/21			Someone contacts Jilletta Jarvis to say there is another option to resignation
6/7/21			Joe Bishop Henchman sends letter to Jilletta Jarvis "the party of which you are Chair is the LNC's sole qualifying organization in New Hampshire"
6/7/21			Jilletta Jarvis meets with 13 LPNH registered members to ask for options
6/7/21			After child labor law tweet, Jilletta Jarvis writes resignation letter
6/8/21			Jackie Perry expelled
6/8/21			Jilletta Jarvis meets again with the 13 LPNH registered members to ask whether a new LPNH entity should be created or for Jilletta to resign
6/8/21			Jilletta Jarvis and 13 LPNH registered members decide to create new LPNH entity
6/8/21			LPNH southern convention event cancelled because owner of establishment Area 23 heard about a threat
6/9/21	13:20		LPNH tweets "Businesses absolutely have the right to discriminate, even for morally abhorrent reasons like skin color and vaccination status"
6/9/21			LPNH tweets "John McCain's brain tumor saved more lives than Anthony Fauci"
6/9/21			LPNH files campaign finance for 11/8/22 with Sean Brennan treasurer and Nolan Pelletier chair

6/9/21			LPNH fails to file with state of New Hampshire. Jillette says treasurer Sean Dempsey was responsible and was instructed to do so
6/11/21			LPNH ExCom members informed website work was going to happen, per ExCom
6/11/21			Jillette/Carpenter files new entity per Jillette
6/12/21	17:16		Peter R Quinones tweet "Go in to the next meeting armed and take it over. End of fucking story"
6/12/21			Jillette Jarvis posts "Change In New Hampshire Libertarian Party"
6/12/21			LPNH access removed from website
6/12/21			Joe Bishop Henschman motion to disaffiliate LPNH with Pelletier as chair fails
6/12/21			JBH called Jillette to create a statement, per Jillette
6/13/21			LPNH executive committee interviewed by Caryn Ann Harlos with LNC
6/13/21			Jillette Jarvis interviewed by Caryn Ann Harlos with LNC
6/15/21			Letter from Stephen Nass to LNC
6/15/21			Jeremy Kauffmann posts on Ballot Access News "It was never my intent to put any of you in this situation. I'm sorry that this is happening.", "I am not a racist or a bigot. I'm not even socially conservative. Prejudice is irrational and repugnant."
6/16/21			Joe Bishop Henschman's <a href="#">LP.ORG</a> email folder goes from 4870 MB to 11 MB
6/18/21	14:12		Ken Moellman and Tyler Harris lock Joe Bishop Henschman's email account after his resignation
6/18/21	16:21		Login to Joe Bishop Henschman email account
6/18/21	21:03		Email from LPNH executive committee member stating that Jeremy Kauffman has been removed from communications committee and policies are in place to address social media issues
6/18/21			Joe Bishop Henschman resigns as LNC chair
6/18/21			Email from LPNH executive committee member states that issues with social media have been addressed, members have been removed, and social media policy is in place
6/21/21	18:49		Failed login to Joe Bishop Henschman email account
6/23/21			Reason Magazine article published online
6/25/21			LNC casts 8-1-1 decision to suspend Caryn Ann Harlos. Fails to attain required 11 votes. Motion ruled out of order

6/26/21	16:59		Email record shows Caryn Ann Harlos contacted Jilletta Jarvis to find name of unknown actor and to protect her as best she could
6/28/21			Letter from LP staff Robert Kraus recognizes LPNH chair as Nolan Pelletier and treasurer as Sean Brennan
7/8/21			Acting chair says working with staff to produce emails requested by LPNH investigation committee
8/10/21			Confirmation that Jeremy Kauffman was removed from communications committee

**SECTION IV LIST OF INDIVIDUALS INTERVIEWED**

<b>NAME</b>	<b>POSITION</b>	<b>DATE OF INTERVIEW</b>	<b>LENGTH OF INTERVIEW (min)</b>
Whitney Bilyeu	LNC Chair	7/5/21	35
Erin Adams	LNC member	7/5/21	20
Robert Krauss	LNC staff	7/6/21	10
Valarie Sarwark	LNC member, LPNH member	7/12/21	15
Richard Longstreth	LNC member	7/12/21	20
Chris Luchini	LNC member	7/12/21	10
Eric Raudsep	LNC member	7/12/21	10
Kris McNiel	Manager of Area 23 club	7/13/21	10
Nick Sarwark	Former LNC Chair, LPNH member	7/20/21	30
Tim Hagan	LNC Treasurer	7/20/21	20
Steven Nekhaila	LNC member	7/22/21	10
Nolan Peletier	LPNH Chair	8/4/21	20
Sean Brennan	LPNH Treasurer	8/4/21	45
Sean Dempsey	LPNH Communications Committee	8/4/21	20
Sean Dempsey	LPNH Communications Committee	8/10/21	10
Chris Luchini	LNC member	8/13/21	15
Jilletta Jarvis	Former LPNH Chair	8/18/21	55
Caryn Ann Harlos	LNC Secretary	8/19/21	45
Ken Moellman	LNC vice Chair	8/21/21	64
Tim Ferriera	LNC member	8/24/21	18
Michael Heise	LP Mises Caucus Chair	8/24/21	30
Governor Gary Johnson	Subject of Boston Globe article	8/27/21	2



Governor Gary Johnson	Subject of Boston Globe article	8/27/21	4
Joe Bishop Henschman	Former LNC Chair	no response	
Jeremey Kauffman	LPNH Twitter	no response	

## **SECTION V UNDISPUTED FACTS**

<b>QUESTION</b>	<b>ANSWER</b>	<b>COMMENT</b>
Did Joe Bishop Henschman as national Chair act inappropriately regarding LPNH?	YES	The letter to Jillette Jarvis recognizing the new LPNH entity is unique in the history of the LP. It was not appropriate for the Chair to recognize this entity unilaterally. The deletion of email records was a destruction of LP assets. The committee has documented evidence that Joe Bishop Henschman, and only he, deleted his emails on or about 6/16.
Was the 3/28/21 LPNH meeting legitimate?	YES	This was the first meeting of LPNH following the state convention. There is no documented evidence to find any improper activity
Mises Caucus claims in "The LPNH scandal and Joe BishopHenschman" "the now-former Chair had intended to resign until some as-yet unnamed person suggested that there might be a different way to handle the situation". Where is this evidence?	YES	In our investigation, including an interview of Jillette Jarvis, we confirm that the idea for creating a new LPNH entity originated from someone other than Jillette Jarvis
Was there anything improper in bylaws changes to allow Sean Brennan to be elected treasurer at LPNH convention?	NO	Sean Brennan was not a sustaining member of LPNH when the convention began. In order to make him eligible to serve as an officer, a suspension of the rules passed to recognize the membership he joined the day of the convention. This is compliant with applicable rules
Stephen Nass says "The Twitter account is attached to her email and she could pull the plug on it whenever she liked": Could Jillette have done this?	YES	Jillette did have control of the Twitter account. In our interview, she stated she did not want to act alone without the communications committee.

How does LP National recognize affiliates?		Article 5 Section 2 reads: "The National Committee shall charter state-level affiliate parties from any qualifying organization requesting such status in each state, territory, and the District of Columbia (hereinafter, state). Organizations which wish to become state-level affiliate parties shall apply for such status on a standard petition form as adopted by the National Committee, which petition shall be signed by no fewer than ten members of the Party residing in the appropriate state."
How does LP National stop recognizing an affiliate?		Article 5 Section 6 reads: "The National Committee shall have the power to revoke the status of any affiliate party, for cause, by a vote of 3/4 of the entire National Committee."
Can two state LP organizations exist?	NO	LP National Bylaws Article 5 Section 3 reads: "There shall be no more than one state-level affiliate party in any one state."
Could Jarvis have filed the campaign finance paperwork for the LPNH that held their convention in March 2021?	YES	It appears as though the answer is yes; it is an online form that could have been filled out for the "March" committee. Does not appear to have to be filled out by the Treasurer. <a href="https://cfs.sos.nh.gov/Public/IndependentAndPoliticalCommitteeRegistrationPublic">https://cfs.sos.nh.gov/Public/IndependentAndPoliticalCommitteeRegistrationPublic</a>
Did the LNC interfere in LPNH affairs?	NO	No, but the LNC Chair did. JBH wrote "I agree that our sin in Oregon was to think that we at the LNC could just pick a side and thereby end the dispute, rather than the Libertarians in the state itself having to work it out." In fact, the sin of Oregon was the initial, intentional interference in a state party by individual LNC actors using their LNC titles to influence an outcome of a convention in a state where they do not reside. In fact, this is exactly what has occurred here.

Did Joe Bishop Henschman delete his <a href="#">LP.ORG</a> email during the period of his resignation as national Chair	YES	Not only does our committee have convincing evidence that this was done and when it was done, we also have irrefutable proof from confidential correspondence that this occurred
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## **SECTION VI FACTUAL EVIDENCE WITH MINIMAL DISPUTE**

<b>QUESTION</b>	<b>ANSWER</b>	<b>COMMENT</b>
Did Jillette Jarvis act inappropriately in creating a different entity to retain assets of LPNH other than the bank account? "To this end, we have established a new interim set of Bylaws and Platform and instituted a new Executive Committee to work with me in the Libertarian Party of New Hampshire."	YES	While the idea was implanted by others, a state Chair should not create a new entity to be recognized as the Libertarian Party affiliate. Jillette did have the support of 13 other members, but to create a new entity would require disaffiliation of the existing entity by the Libertarian Party.
Was there cause for concern in the social media activity of LPNH?	YES	Michael Heise of the Mises Caucus confirmed with our committee that the problem was recognized, and they were trying to address the problem at the time that the new LPNH entity was formed. The Mises Caucus has stated that the messaging from Kauffman's LPNH social media is not acceptable
Was there action taken in conduct of the LPNH 2021 convention that was a violation of applicable rules or bylaws?	NO	There is no documented evidence of any such violations. Jillette Jarvis confirmed that the business was conducted properly. The Mises Caucus was effective at getting a large turnout of new members to participate as delegates
The Communications Committee is not a standing committee, and its duties are not in the bylaws. Where are the duties/authority of the Communication Committee documented?		There were no formal policies or duties of the LPNH communications committee
Was it improper for Stephen Nass to ask if LPNH should run a candidate for governor in a Facebook post?	NO	This post was in a message group asking a question. It was not an endorsement of a candidate for another Party.
Did LPNH fail to file required papers with the state to ensure it had ballot status?	NO	There was a campaign finance report that needed to be filed. These reports are required every 2 years. The Democratic and Republican parties in NH file these reports. Failure to file does not impact ballot status. It can result in other punitive actions from the State of New Hampshire

Is compliance with the state of New Hampshire a requirement in the bylaws?	NO	Nowhere in the National or "March" LPNH State Party bylaws is there a requirement for a state affiliate to be in good standing with the state of New Hampshire
Does the state of New Hampshire recognize the LPNH resulting from the March 2021 state convention?	YES	The NH Secretary of State seems to have a registration started in 2019 and ending in 2024. Board of Elections paperwork not filed in 2014, 2016, or 2018 election cycles. The LPNH filed 7/1/19 for the 2020 election cycle. The new LPNH created by Jilletta Jarvis in June filed as a political committee 6/9/21
Did the previous LPNH that held their convention in March dissolve?	NO	Both the bylaws as existed after the March convention under Article II, and the new bylaws circulated on June 12th, read "The duration of the State Party shall be perpetual."
Does the LPNH Executive Committee, as a body or as any individual, have the right to dissolve the LPNH?	NO	As this has been created by members in convention, even the executive committee lacks the authority to dissolve the organization. Amendments to the bylaws can only be made in convention.
Did the LPNH executive committee remove members the week prior to June 12 in violation of their bylaws?		In our interview with Jilletta Jarvis, she gave compelling testimony that this occurred. She stated that members of the Mises Caucus were intentionally misleading members they wanted removed to miss meetings and be removed. This seems to be corroborated by a social media message on 4/3 "We have two of the loser brigade on our communications committee but we've been ignoring them about Twitter. Going to vote that I be there only one with the keys. We have the votes. We also have any votes that go to EC, and judicial committee is all MiCaucs".

## **SECTION VII CLAIMS WE WERE NEITHER ABLE TO CONFIRM NOR DISMISS**

<b>QUESTION</b>	<b>ANSWER</b>	<b>COMMENT</b>
Are there actions LP national can or should do to prevent what happened with LPNH?	YES	Our committee offers several resolutions to consider in our report
Has the Mises Caucus been involved in "violent threats emanating from these people, and the deliberate destruction of the party's ability to appeal to voters and win elections" as stated by Joe Bishop Henschman		While our committee is aware of claims of threats at the LPNH state convention, LPNH southern convention, and others, there is no documented evidence to corroborate this. We do believe Jillette Jarvis is sincere in her concerns and is shielding those who may be subject to such threats. We have no evidence to conclude the Mises Caucus is associated with these threats. Regarding social media activity, it is a matter of interpretation whether Tweets or posts are violent.
On June 12 Jillette Jarvis said, "These new members have stated their intention was to take us over and then move on to do the same thing in the Republican Party". Is this true?		Our committee can confirm that Sean Patrick, LPNH treasurer and Mises Caucus member, posted on Twitter "play the long game ... first the lp, then the republican party". There is not in our possession evidence to prove that the Mises Caucus as a whole or new member to LPNH share this opinion
How was Jeremy Kauffman appointed to LPNH communications committee?		There was not a formal appointment process at the state convention. The communications committee was created from a sign-up list, and the convention voted to appoint the 5 members that signed up. Jeremy Kauffman was first considered to be added to the communications committee at the LPNH meeting on 3/28, but the motion was tabled. It is not clear how he was later added to the committee

If tweets by Jeremy Kauffman were problematic, why didn't the Communication Committee do something?		Our investigation has heard that the communications committee planned to meet and act to address this, but Jilletta acted before this could happen. Jilletta Jarvis stated that she repeatedly tried to work with the communications committee on this matter but got no cooperation
Has the Mises Caucus received funding/support from Steve Bannon to take the Libertarian Party off the ballot in New Hampshire and other states?		This is a concern expressed by several Libertarians our committee spoke to. In our interview with Michael Heise, he rejected this
Were there credible threats of physical violence?		We conclude that Jilletta Jarvis actions were in part the result of what she sincerely perceived as threats of physical violence to her or others. We found her testimony compelling. Other members of the LPNH executive committee denied this occurred
Does LPNH have the authority to expel a member? (Pertinent to motion to remove Jackie Perry ``For egregious violations of personal privacy for certain members as well as repeated hostile attacks and the spreading of mistruths, I motion we permanently expel Jackie Parry from the LPNH")		They have done it in the past, which set the precedent that they could, per previous chair and now ExCom member Brian Shields: "Prior to this, the only other LPNH member who was expelled openly advocated for the preemptive murder of police officers in self-defense. The bar was set higher than using public information to publicly pressure a Chair into action. Jackie's actions were within the bounds of the NAP, in my opinion." The LPNH Judicial Committee was not involved in the matter, but it was suggested Jackie could appeal the motion.

## **SECTION VIII CLEARLY FALSE EVIDENCE WHICH WAS PRESENTED TO US (WITH THE SOURCE).**

None to report

## **SECTION IX COMMITTEE ACTIVITIES AND TIMELINE OF INVESTIGATION**

The committee was formed on 19 June 2021 by the LNC Resolution shown above.

Upon notification of the committee appointment on 6/28/21, an online meeting of committee members was initiated that same evening. Pat Dixon was chosen as committee Chair. Dr Joe Buchman took on the task of reviewing written materials and drafting this report. Rufus Craig focused on interviewing involved individuals by phone.

At project initiation, Pat Dixon performed the following:

- Created a Google drive for file sharing among the committee, including an evidence folder
- wrote a project charter and project plan
- created a timeline of events, list of questions to ask, and contact list on the Google drive

Weekly online meetings were conducted. During meetings, the members reviewed evidence and discussed obstacles to progress. The committee met on the following dates:

DATE	DURATION (min)	LOCATION
6/28/2021	48	Zoom
7/4/2021	98	Zoom
7/12/2021	39	Zoom
7/19/2021	22	Zoom
7/25/2021	43	Zoom
7/25/2021	28	Zoom
7/31/2021	55	Zoom
8/8/2021	67	Zoom
8/15/2021	45	Zoom
8/19/2021	38	Zoom
8/19/2021	24	Zoom
8/21/2021	100	Zoom
8/26/2021	150	Zoom



8/28/2021	150	Denver
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### Email Record Request Timeline

The position of our committee from inception has been that we should be able to review all materials to determine for ourselves what is pertinent. We expected under non-disclosure that we could receive this information and determine what was germane. Therefore, the LNC appointment of this committee should have considered that we would receive such information and be entrusted with it. We believe this is consistent with the resolution creating our committee.

Our committee was not made aware of non-disclosure agreement requirements until after we had made requests for information from the acting LNC chair. While we understand that organizations need to protect their information, individuals should be made aware of requirements before they apply.

The committee made repeated requests for access to the email record.

The explanations for non-fulfillment of this request included:

- need for gatekeeping of unrelated sensitive information
- attorney-client privilege in JBH @lp.org emails
- problems created by the transition to email
- need for Dr. Buchman to sign a revised NDA to replace (or in addition to) the one he had signed in 2012 (later documented as lost in a records transition at the LP HQ offices).
- need for legal counsel review and approval

In short, the committee was unreasonably delayed in our requests to examine the email record for emails that had already been deleted.

## **SECTION X DISCLAIMER**

The investigation committee acknowledges that evidence exists which we do not have. We also acknowledge that details in the evidence we have may have been missed. We believe we did the best we could with the information and resources available.

## **SECTION XI ACKNOWLEDGEMENTS AND EXPRESSIONS OF GRATITUDE**

The committee wishes to express our gratitude to the members of the Libertarian National Committee for the trust which they placed in us.

We also express gratitude to each witness who came forward, whether publicly or anonymously.

We also express our gratitude to our spouses (Cindy Buchman, Carolyn Craig...) and other family members for their support and the time taken from other activities that could have been spent with them.

## **SECTION XII: EVIDENCE RECORD**

### **EMAILS**

This is a list of email records used in our investigation

DATE SUPPLIED	SOURCE	EMAIL	# EMAILS
7/12/2021	Anonymous	Anonymous	13428
7/31/2021	Tim Hagan	Tim Hagan	10311
8/1/2021	Laura Ebke	Laura Ebke	11229
8/1/21	Richard Longstreth	Richard Longstreth	27554
8/5/2021	LP	Tucker Coburn	11739
8/5/2021	LP	Francis Wendt	14130
8/6/21	LP	Rich Bowen	1916
8/8/21	LP	Caryn Ann Harlos	16564
8/10/21	LP	Joe Bishop Henschman	3886
8/12/2021	Valerie Sarwark	Valerie Sarwark	8804
8/12/21	LP	Joe Bishop Henschman, reconstructed prior to June 16	1652
8/21/21	Ken Moellman	Kem Moellman, filtered	3305

### **DISCUSSIONS**

This is a record of discussions between individuals that our committee considered in our investigation:

DATE	# OF EXCHANGES	PARTICIPANTS	TYPE
3/20/21	1	Jeremy Kauffman	Twitter
3/30/21	1	LPNH Communications	Text messages
3/30/21	1	LPNH Communications	Text messages
4/1/21	1	unknown	Twitter
4/1/21	1	LPNH membership	Twitter
4/3/21	1	LPNH Communications	Text messages
4/3/21	1	unknown	Social media message
4/3/21	1	Libertarian Party of Kentucky	Twitter

4/3/21	1	Libertarian Party of Kentucky	Twitter
4/18/21	1	LPNH Communications	Text messages
4/26/21	1	LPNH Communications	Text messages
5/15/21	1	Sean Patrick	Twitter
5/24/21	1	LPNH membership	Social media message
5/26/21	1	LPNH executive committee	Text messages
6/2/21	1	LPNH Communications	Text messages
6/2/21	1	LPNH Communications	Text messages
6/2/21	1	LPNH Communications	Text messages
6/10/21	1	LPNH membership	Text messages
6/10/21	1	LPNH membership	Text messages
6/13/21	15	Caryn Ann Harlos, Jillette Jarvis	Facebook chat
6/13/21	1	Caryn Ann Harlos, Jillette Jarvis, LNC members	Recorded video interview
6/13/21	1	LPNH membership	Text messages
6/14/21	1	Caryn Ann Harlos, LPNH, LNC members	Recorded video interview
unknown	1	List of Twitter follows	Twitter
unknown	1	"The word on the grapevine is that not only is Sununu not going to run for Governor, but a halfway decent liberty republican will be stepping up to the plate. As someone who wants the most liberty for our state, I would like the LPNH to not endorse any Governor candidate at all"	Facebook chat
unknown	1	LPNH	Text messages
unknown	1	LPNH Communications	Text messages
unknown	1	LPNH executive committee	Text messages
unknown	1	"Because there was a rumor circulating in the OKLPMC group that people were gearing up to oust you"	Social media message

unknown	1	LPNH Communications	Text messages
unknown	1	LPNH executive committee	Text messages
unknown	1	LPNH Communications	Text messages

## Tweets

This is a list of Twitter Tweets that were used in our investigation

DATE	SOURCE	CONTENT
3/7/21	Jeremy Kauffman	Including "if 1,000 transpeople were murdered"
5/21/21	LPNH	"The tree of liberty must be refreshed from time to time with the blood of patriots & tyrants. it is its natural manure - Thomas Jefferson"
5/24/21	LPNH	Liked a post by @chekcmateststate "Nick Sarwark would like to formally invite her to run as a Libertarian" regarding Liz Cheney
6/2/21	LPNH	Including "All Republicans want to do about wokeness is whine"
6/2/21	LPNH	Including "They allow those who disagree with wokeness to build businesses and live their lives according to their values, without gov't force."
6/2/21	LPNH	"The Libertarian Party has reversed its position on closing Gitmo. It must be left open so that Anthony Fauci and every governor that locked their state down can be sent there, never again to be allowed inside of the United States"
6/7/21	LPNH	"Legalize child labor. Children will learn more on a job site than in public school
6/7/21	LPNH	"At the very least, the minimum age to work is a states' rights issue. Federal minimum work ages are unconstitutional,"
6/9/21	LPNH	"John McCain's brain tumor saved more lives than Anthony Fauci"
6/9/21	LPNH	"Businesses absolutely have the right to discriminate, even for morally abhorrent reasons like skin color or vaccination status"
6/12/21	Peter R Quinones	"Go in to the next meeting armed and take it back. End of fucking story"
6/12/21	Jeremy Kauffman	"With no vote and against the majority of the executive committee and membership, Chair @Jarvis4Gov unilaterally purged dozens of people off committees and from LPNH membership rolls ..."
6/12/21	Brian Shields	Includes "There are now two organizations. Y'all have the bank account to whatever Mises circlejerk this turns out to be."

6/20/21	LPNH	"The ultimate goal of wokeism is to infiltrate, occupy, and dominate every cultural, political, and corporate institution. The Libertarian Party isn't immune to this. It must be identified and stopped immediately"
8/4/21	Justin O'Donnell	"The more the government talks about mandates and vaccine Passports, the more I empathize with Timothy McVeigh"
8/4/21	Justin O'Donnell	"The only thing he did wrong was not wait for daycare to let out"
unknown	LPNH	"Make sure to exercise your rights" referring to New Hampshire constitution Art 10 Right of Revolution
unknown	Ethan Bishop-Henchman	"Joe using his remaining powers to go over her head starting the ballot to remove CAH as his last move as Chair *cackling* We aren't scared of bigots and those who continuously run cover for them. Goodbye. Good luck"

## DOCUMENTS

These are documents used in our investigation

DATE	SOURCE	CONTENT
9/24/16	LPNH	Constitution of the Libertarian Party of New Hampshire
3/28/21	LPNH	28 March 2021 Minutes for Executive Committee of LPNH Meeting
6/7/21	Joe Bishop Henchman	Letter to Jilletta
6/9/21	State of New Hampshire	Political Committee Registration
6/12/21	LPNH executive committee	Letter to New Hampshire secretary of state to investigate fraud
6/12/21	Jackie Perry	Facebook post about Jilletta Jarvis
6/12/21	Jilletta Jarvis	Change in New Hampshire Libertarian Party
6/14/21	Sean Dempsey	Legal and Ethical Concerns with Membership Privacy pertaining to the LPNH _ Rogue Agents with Unfettered Access
6/15/21	Dan Reale	LPNH Timeline
6/15/21	Steven Nass	2021-06-15-Statement-from-Stephen-Nass

6/15/21	LNC	User log of Joe Bishop Henschman <a href="https://lp.org">LP.ORG</a> email showing 4870 MB Gmail storage
6/16/21	Sean Dempsey	Email to LNC members regarding restoring assets to LPNH
6/16/21	LNC	User log of Joe Bishop Henschman <a href="https://lp.org">LP.ORG</a> email showing 11 MB Gmail storage
6/18/21	Alexander DiBenedetto	Libertarian Pragmatist Caucus Final Announcement
6/18/21	Joe Bishop Henschman	Joe Bishop Henschman resignation letter
6/23/21	LNC	Vote to disaffiliate LPNH
6/25/21	LNC	Vote on motion to suspend Caryn Ann Harlos
6/28/21	Robert Kraus	Recognizes LPNH Chair as Nolan Pelletier and treasurer as Sean Brennan
6/30/21	LPNH	Bylaws of the Libertarian Party of New Hampshire
6/30/21	LPNH	Bylaws of the Libertarian Party of New Hampshire
6/30/21	LPNH	Bylaws of the Libertarian Party of New Hampshire
6/30/21	LNC	Video of Ken Moellman and Tyler Harris locking the Joe Bishop Henschman email account after his resignation
7/20/21	Federal Elections Commission	Campaign finance report for Mises Caucus
7/20/21	Federal Elections Commission	Mises PAC financial summary
8/5/21	Ken Moellman	Document of timeline and pertinent evidence
8/23/21	Ken Moellman	Login log for Joe Bishop Henschman's LP.ORG email box
	State of New Hampshire	2022 RECEIPTS AND EXPENDITURES
	State of New Hampshire	Political committees are governed under RSA 664.



	Justin O'Donnell and LPNH members	Formal Complaint to the LNC regarding the actions of Jillette Jarvis in her capacity as Chair of the Libertarian Party of New Hampshire.
	Andrew Oldring	Convention Minutes 2021 LPNH Convention

# EXHIBIT S



**Laura Ebke, Libertarian National Committee At-Large**

June 23 · 🌐

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Fellow Libertarians,

Many of you have been watching the disputes going on in the LNC over the last 10 days (approximately). The questions with respect to the Libertarian Party of New Hampshire set off the latest round of fireworks, which resulted in our national chair resigning, two regional representatives resigning, and most of (not all ) the remaining members of the LNC supporting a motion to suspend our national secretary before it was ruled out of order after two days by the acting chair.

I supported the motion to remove the Secretary--not because I bear her any ill-will, but because I believe that if we really want to see a world set free in our lifetime, we need to accept certain premises.

- 1) The old parties control the rules of the game, and are going to win 95% of the races they run, unless we can convince "regular voters" to vote for our candidates. Rep. Marshall Burt managed to do that last November in Wyoming. Trisha Butler, Libertarian won a city council race in Clarksville, TN. We have lots of other school board and city council and other local Libertarians in office. But we need more--lots more--if we are to change the policies that continue to take away our freedom.
- 2) Some believe that we just ought to scream about oppression at the top of our lungs--and there's a place for righteous indignation. But the number of Libertarian votes in a given presidential election is in the 1-3% range, at best. Most aren't going to even listen to us when we're yelling, and will just think we're "crazy Libertarians."
- 3) I switched parties in 2016 because I thought the Libertarian Party was serious about trying to win the election (and winning the hearts and minds of voters--not scaring them). I suspect that if I had switched to Independent (we call them Non-Partisan in Nebraska) registration, that I would still be in the Legislature. I can't prove that, but the Republicans would have had a very different set of issues to attack me with if I had done that.
- 4) If the Libertarian Party wants to win elections and make a difference, I'm happy to be a part of it. If the goal is to be a debate club and engage in "edgelord" behavior on social media that turns thoughtful VOTERS away, I'm not sure how I feel about that.
- 5) My reason for voting for the removal of the Secretary (and that motion seems to have retreated for now) is that she engages in a pattern of behavior on social media (especially) that is unbecoming of an officer of an organization such as ours. While most of her posts are billed as "personal" on her personal page, she routinely disparages her fellow LNC members for failing to make the choices that she thinks we should make, and raises real questions about the ability of the Party to function \*as a Party should.\*
- 6) And yes, before someone asks, she has on occasion cursed me, called me names, and generally included me in the disparagement of the LNC on social media and on her YouTube videos. If this were just a personal conflict between the two of us, I wouldn't have voted for this motion. I've had plenty of conflicts with people of all political stripes. I have been called far worse face to face at doors in my district (after switching parties and having mail blasts telling them how awful I was), and have functioned without distress when attacked online by people who had formerly been my friends. One of my reasons for leaving my old party was that the Governor launched an attack on me (and others), and the attacks in my re-election--while not obscene--were far more brutal and hurtful than vulgar language.

It's not about me, though. It's about whether the LNC should be able to deliberate--sometimes even disagree with each other--without fearing that the Secretary is going to go on live videos, call us names, expose us to nasty emails and phone calls--without being able to put a stop to that. Perhaps a significant number of our membership doesn't really care about a functional LNC that can work toward helping win elections and moving the needle; perhaps many Libertarians just want to debate each other.

As for me, I'd rather see our candidates fighting the Republicans and Democrats--who both in their own ways--are keen on growing government. There are Libertarian solutions to virtually every policy question out there, but we can't seem to get past fighting with each other to even present those solutions in a meaningful way.

7) Tonight, after it was announced that the acting chair had ruled in her favor, the group that had tried to remove her withdrew their motion and indicated that we did not intend to refile (as we had before). And a tweet sent to me suggests that the Secretary was promoting herself to a national podcaster to come on and "talk about the LP meltdown". I find it disturbing that an officer of the LNC, who has a fiduciary duty to act in the best interests of the organization, would be so quick to refer to the problems that we're having--in a public way and as a way to promote herself for publicity--as a "melt down."

8. She will say that all of these things that she says are said on her private pages and that she has a right to say them. Yes, she does. That said, when your "fan base" is predominantly made up of Libertarians who know that you are the National Secretary, you really can't claim that division between private and public. I learned this early in my first year in the Nebraska Legislature. I live in a small town, and my extended family lives in another small town down the road (the town where I grew up). After I'd been called "Senator" when I walked into WalMart while wearing sweatpants and an old t-shirt while we were in the midst of a painting project, or ate with my dad at a restaurant downtown and had people coming up to us and asking me about Legislation, I realized that when you ask for the trust of people to vote for you, some of your privacy goes away for a time, and at some level, you're always "on".

I grew to realize that within my District, and even within the State, that many people saw me as their senator, not just as "Laura." And so I tried to ensure that my demeanor would not cause problems for the institution (or for my re-election).

I hope that the LNC can move on and that we can accomplish great things in the next year before the convention. I fear that we won't be able to.

Thanks for reading.

Laura

   126

32 Comments 12 Shares

# EXHIBIT U



## LIBERTARIANS HONOR THE BILL OF RIGHTS

by **Staff** on December 14, 2018 in **Features**

Happy birthday to the Bill of Rights! These 10 amendments to the U.S. Constitution were ratified by the states on Dec. 15, 1791. The Anti-Federalists insisted that the Constitution must contain an enumeration of protection for some of the most important rights, to help ensure that the federal government didn't overstep its bounds by violating them. The Bill of Rights remains among the most powerful and inspiring statements of individual liberty in the history of the United States.

Of course, politicians began violating the Bill of Rights not long after it was adopted, and it has been shredded by every ruling party whenever it suits their political purposes. Whether Republicans, Democrats, Federalists, or Whigs, all have been guilty — except Libertarians. The [Libertarian Party Platform and Statement of Principles](#) were drafted to make it clear that we take the Bill of Rights seriously — along with innumerable other rights not listed there.

It's worth noting that most of the rights enumerated in the Bill of Rights are “negative” rights. They each restrict the power of government from





nation under God, every day. Now some of those same government schools prohibit references to God in classrooms and speeches.

Most Americans are free to print, broadcast, or say anything they want unless they have a message that is embarrassing or incriminating to politicians or bureaucrats. More than ever before, the U.S. government prosecutes those who expose official wrongdoing by becoming whistleblowers or courageous journalists like Edward Snowden or Julian Assange.

One can still peaceably assemble and petition for a redress of grievances, but not in front of the White House or anywhere that politicians can actually see you, unless you get a permit far enough in advance that politicians can avoid you and avert their sensitive eyes.

Libertarians support the First Amendment all the time, not just when it's convenient for politicians.

**Second Amendment:** "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

This right to bear arms is routinely disparaged or misinterpreted by both Democrats and Republicans. The Second Amendment was not written to protect getting a permit to shoot wild game with muskets; it was meant to grant people the ability to resist tyranny. In the words of the Declaration of Independence, "Governments are instituted among Men, deriving their just powers from the consent of the governed, that whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it."

The mass murders committed by Adolph Hitler, Mao Zedong, Joseph Stalin, Pol Pot, and many other tyrants add up to 262 million innocent people who were killed by their own governments in the 20th century, according to the tally of Dr. R.J. Rummel of the University of Hawaii. Rummel coined the term "democide" to describe intentional killings committed by government officials against their own people. It's safe to say that the vast majority of these victims were disarmed before they were killed.

Libertarians realize that the Second Amendment is not about shooting Bambi. It is ultimately a crucial defense against being assaulted or killed, whether by individual criminals or by oppressive governments.



seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”

The protections outlined in the Fourth Amendment have been gutted perhaps more than any other. Civil asset forfeiture effectively enables police to engage in legalized highway robbery. At the federal level alone, there are 17 known intelligence agencies that claim an array of surveillance powers, such as listening to our conversations, reading our texts and emails, and otherwise spying on us at will.

Both Republicans and Democrats actively support this police-state apparatus and congressional votes are nearly unanimous when they expand and fund the surveillance powers of these intelligence agencies. Libertarians, on the other hand, stand firm in calling for a complete halt to civil asset forfeiture and all forms of spying on Americans without a real warrant, which should be difficult to obtain.

**Fifth Amendment:** “No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.”

Today, arbitrary regulations routinely deprive landowners of any productive use of their land, effectively taking away the value of property without just compensation. From local zoning laws to state and federal environmental restrictions, property rights are undermined by nearly every government jurisdiction.

Libertarians have a simple solution to this continually growing mass of restrictive regulations: If something doesn’t hurt people, doesn’t steal from people, and isn’t fraudulent, then don’t regulate it.

**Sixth Amendment:** “In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed. which district shall have been previously ascertained by law. and to be informed of the





allows juries to declare defendants innocent when they believe the law in that case was unjustified.

Elected Libertarians would repeal consensual crime laws. If nobody was hurt, nothing was stolen, and no contracts were violated, there should be no crime. Until the day consensual crime laws are repealed, Libertarians support jury nullification for unjust laws in cases at trial. The United States imprisons about four times the percentage of its population that Europe does. Focusing police and prosecutor efforts on actual crimes with victims, rather than consensual crimes, would improve the safety and security of the public while dramatically reducing the cost of the judicial system.

**Seventh Amendment:** “In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.”

Although the Bill of Rights originally restricted only the federal government’s power, the 14th Amendment eventually incorporated these amendments to restrict state power as well. All except for the Seventh Amendment, that is, which has never been applied to state governments. Perhaps it should be.

**Eighth Amendment:** “Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.”

Capital punishment is cruel and unusual. Libertarians would abolish it not only for this constitutional reason, but also because proof of guilt can be uncertain — and many people have eventually been found innocent after years of imprisonment, as evidentiary standards are refined and improved over time. Even considering only practicalities, the costs of execution exceed those of life imprisonment.

**Ninth Amendment:** “The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.”

Perhaps the single most important sentence in the Constitution. the Ninth Amendment reiterates that individual rights are inherent in human



Libertarians argue that the worst excesses of the federal government would be eliminated if the courts started taking the Tenth Amendment seriously again.

“The Bill of Rights is one of the most powerful, inspiring statements about the principles of individual liberty and limited government in history,” said [Libertarian National Committee Representative Dr. James Lark](#). “When Americans are asked about the aspects of America that make them most proud, frequently their answers include the rights of freedom of speech, freedom of religion, and freedom of assembly. The common element of these answers is individual liberty and freedom from government interference.”

[◀ Washington Libertarians lead effort to get retail pot referendum onto ballot](#)

[2020 presidential ballot access! ▶](#)



# EXHIBIT V



## Libertarian chair: Assange prosecution should be dismissed

by **Nicholas Sarwark** on [April 11, 2019](#) in **Features**

Julian Assange was arrested this morning, April 11, at the Ecuadorian embassy in London. There were two reasons for the arrest, that he failed to appear on bail in United Kingdom courts in 2012 after seeking asylum in the embassy and that there was an extradition request from the United States on a conspiracy indictment.

The U.K. Magistrates Court has already found him guilty of the bail offense, and he will be sentenced in the Crown Court on May 2 for that offense. It should be noted that the underlying charges that he was on bail for in Sweden have all been dropped, so whatever penalty is imposed for failing to appear will end that matter.

[The U.S. indictment](#) charges one count of conspiracy to access a government computer. My former boss at the public defender's office in Colorado used to say that if the prosecutor can't charge even one completed crime, it's a pretty weak case.

In plain language, the U.S. government wants to extradite and prosecute Julian Assange for unsuccessfully trying to decrypt an encrypted password file that whistleblower Chelsea Manning provided.

Prosecutors use their discretion to decide which charges to pursue and which charges not to pursue in order to "seek justice." The Department of Justice under a previous administration had decided not to prosecute these charges because of the chilling effect it would have on press freedom to prosecute reporters for receiving classified information from their sources. The current DOJ leadership apparently has different priorities.

The First Amendment protects free speech and freedom of the press. That's easy when the press is speaking in favor of the government and the powers that be. It's when the press publishes evidence of war crimes, illegal surveillance of American citizens, and embarrassing secrets that the First Amendment needs protection the most.



public opinion.

The Libertarian Party stands up for the principles our country was founded on, principles of free speech and press freedom, principles that should apply to everyone no matter how much of a jerk they are or how uncomfortable their reporting makes the U.S. government. This politically motivated prosecution should be dismissed in the interest of justice and to protect our First Amendment.

Nicholas Sarwark  
Chair, Libertarian National Committee

We support full  
**freedom of expression**  
and oppose government  
censorship, regulation or  
control of communications  
media and technology.



# EXHIBIT W

- <https://www.youtube.com/c/FightTheDespots>
- <https://www.youtube.com/c/LibertyLockdown>
- <https://www.youtube.com/c/Daniel3BiblicalAnarchy>
- [https://www.youtube.com/channel/UCO5dU75bwIN9zLQafpr\\_Bgw](https://www.youtube.com/channel/UCO5dU75bwIN9zLQafpr_Bgw)
- <https://www.youtube.com/c/KeithKnightDontTreadonAnyone>
- <https://www.youtube.com/c/academyofideas>
- <https://www.youtube.com/channel/UCRXnOs1rjfLMYrtZ-0n29NA>
- <https://www.youtube.com/c/HapaSupremacy>
- <https://www.youtube.com/channel/UCBfYYGqx0SFaJ1EnY-RFhqw>
- [https://www.instagram.com/ancatcomic/?fbclid=IwAR3uYNuEOdTy3cWL9JobFas\\_haT6JCe4SmlDKSkWiUYNCiQzxNWXod9Fpj8](https://www.instagram.com/ancatcomic/?fbclid=IwAR3uYNuEOdTy3cWL9JobFas_haT6JCe4SmlDKSkWiUYNCiQzxNWXod9Fpj8)
- <https://www.facebook.com/BNicholsLiberty/>

# EXHIBIT X



Posted by Ryan Graham, Chair at Libertarian Party of Georgia

## Region 2 Representation - LNC Meeting

Hey, team. Many of you probably already know that the Region 2(our region) representation is a focal point in the news surrounding the suspension of Caryn Ann Harlos as Secretary of the LNC. I want to make sure to get all of the details out in the open as I saw them as it was happening.

A few days before the meeting, both me and Dave Jones(Chair of LP TN) messaged Steven Nekhaila about the vote. For full transparency, here's what I sent Steven:

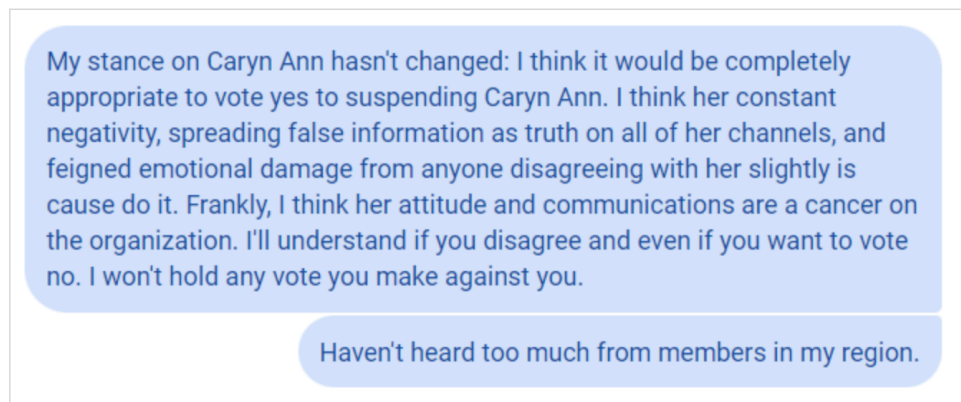


image.png · 44.7 KB · [View full-size](#) · [Download](#)

And, for the record, I hadn't heard from anyone in our state and so added that last bit to let him know I wasn't necessarily speaking for everyone, but giving my own advice. Steven and David also let me know they only received a hand full of emails, mostly canceling each other out. I hope you also note, that I gave an out. I never received a response to this message. I did send a subsequent, unrelated message that he did respond to. My understanding is Dave sent something similar and was also ignored. Around this time, David and Steven were in communications. David was telling Steven that he wasn't going to make it, but that he could if Steven was leaving and he needed our alternate to step in. He did not indicate to David that he would be leaving early and our alternate would be needed.

On Saturday, Steven let other members of the LNC know that he would be leaving very early on Sunday. They reached out to David to let him know he'd be needed and so he made plans to make the drive from TN to Louisville. David reached out to both me and Dave to see what we thought about the vote and I sent him the above again. A decision was made not to tell Steven on the basis that all of the details leading up to this moment were some kind of plan to not be there and make sure a vote went a certain way.

In truth it was a massive miscommunication on the part of Region 2 leadership. There was no "backstab". Steven doesn't feel backstabbed. He told all of us as much. Chairs and LNC representation should be meeting more regularly to discuss topics on the agenda so we can get on the same page. That simply didn't happen this time. We've all met to talk about the series of events and the communication breakdown and have agreed to always try and have at least one meeting the week before an LNC meeting to discuss the agenda items and to make sure nothing like this happens ever again.

Please feel free to ask any questions you might have about the situation as I'm sure I've left something out.

Sorry for the long post for all of you who have no idea what's going on and don't care. 🤔

# EXHIBIT AA



Caryn Ann Harlos <carynannharlos@gmail.com>

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**Fw: [Inc-business] Ballot Access and IS Committees**

1 message

---

**thatpetitionguy@yahoo.com** <thatpetitionguy@yahoo.com>  
To: carynannharlos@gmail.com

Wed, Sep 15, 2021 at 5:28 PM

Be sure to scroll to the bottom and work your way to the top to read the entire thread.

----- Forwarded Message -----

**From:** "thatpetitionguy@yahoo.com" <thatpetitionguy@yahoo.com>  
**To:** John Phillips <john.phillips@lp.org>  
**Cc:** "sfdreamer@earthlink.com" <sfdreamer@earthlink.com>  
**Sent:** Friday, February 5, 2021, 07:39:51 PM EST  
**Subject:** Re: [Inc-business] Ballot Access and IS Committees

The only heated tone here is coming from you. I would be willing put this message in a public forum and we can ask the public to decide who has the heated tone, and who is being rude, if you so desire.

I asked what I believe was a legitimate question, and expressed what I believe were some legitimate concerns about party operations, with the interest of improving party operations and making the party more successful, and THIS is your response?

If this is your attitude, and you are an official within the party, then I suppose I should not be surprised that the party is not more successful.

In liberty,  
Andrew Jacobs  
702-785-4738

On Friday, February 5, 2021, 02:35:10 PM EST, John Phillips <john.phillips@lp.org> wrote:

If you cannot recognize the tone of your written words that is a skill worth learning.

The chair will be well aware of the rules when he makes his appointment. I was under the impression that Mr Johnston was no longer in our employ, but I may be mistaken. Also ballot access is far from just petitioning.

Now for a really hot headed comment.

WHAT FUCKING PART OF I AM ON LEAVE WAS NOT FUCKING CLEAR?

Thank you tho for confirming that I have no desire to recommend you too a committee I am on. You can be an excellent activist, and I am sure you are, but your inability to recognize when a good goddamn time to back off would be ends it for me.

John Phillips  
Region 6 Representative

On Fri, Feb 5, 2021, 1:02 PM <[thatpetitionguy@yahoo.com](mailto:thatpetitionguy@yahoo.com)> wrote:

Correct me if I am wrong, but Bob Johnston is an employee of the Libertarian national office, and as an employee of the national office, is he eligible to be on a National Committee or National Subcommittee seat? I thought office staff were not eligible for these positions. Did he resign, or am I mistaken about the rules concerning LNC office employees and seats on the LNC and its subcommittees?

I do know Bob Johnston, and I have in fact worked with him in the past. I do not think Bob Johnston has ever collected many petition signatures, but he has counted and sorted petition signatures, and he acted in a managerial role in a few LP petition drives in Maryland, and I know he helped Ken Moellman write the LNC Ballot Access report for 2016, much of the ideas for which the content of that report came from my suggestions to Ken for what a ballot access report ought to include (that report turned out to be the best one in the history of the party; for instance, it was the first time anyone had ever bothered to track down how much was spent in each state by the LNC, and/or the state parties, and/or the presidential campaign, and it then compiled it in a state by state breakdown).

How is inquiring about who a nominee is and what their qualifications are a "hotheaded" comment? It sounds like a reasonable question to me. Shouldn't the membership know who the people are and what qualifications they have prior to people getting appointed to committees or other positions?

I have been in the LP for 24 1/2 years, and I have witnessed far too many LP committees that never really accomplished anything productive. I know for a fact that the 2014-2016 LNC Ballot Access Committee only met one time during its 2 year term, and did not accomplish anything, because three people who were on that committee (Paul Frankel, Scott Spencer, and Gary E. Johnson of Texas, ADMITTED it to me. When I spoke to Gary E. Johnson he did not even know what I meant when I said "valid petition signature," as he asked me what that was, and why the state would invalidate a petition signature, and this conversation took place in Orlando, at the end of his term on the Ballot Access Committee. I also know that a similar situation happened during the 2012-2014 LNC Ballot Access Committee. Prior to that, the LNC did not even have a Ballot Access Committee, and it took YEARS of talking about creating one before it happened, as in multiple LNC terms where it was discussed, before it was actually created.

Back in 2012, I combed through every report the LNC filed with the Federal Elections Commission, and I found that around 47% of the money that the LNC spent on ballot access for that year, which represented about 14% of the budget for that year, went to one person, and this person was not even a libertarian, and they had multiple instances of low validity on petitions in several states. When I inquired as to why 47% of the LNC's ballot access budget went to one person, nobody ever responded as to why, and a few LNC members admitted to me that they did not even know who this person was, and they in fact did not even recognize the name when I said it to them. So there were multiple LNC members voting to allocate money, yet the vast majority of them had no clue as to who the money was going to or what the quality of work was which was being done with that money.

So after 24 1/2 years in a political party, and 20 1/2 years of involvement in ballot access, I would like to see some actual improvements and success. Is this unreasonable?

In liberty,

Andrew Jacobs  
702-785-4738

On Friday, February 5, 2021, 10:19:59 AM EST, John Phillips <[john.phillips@lp.org](mailto:john.phillips@lp.org)> wrote:

Mr Jacobs,

I might have misspelled/typoed the name. Bob Johnston (sp?). He was with us this entire last term.

Now. I am technically on leave from this position right now. So I am not seeing or responding to a lot of these emails. I just happened to catch this one following up on another. This is the first I saw of this thread. I am unlikely to return fully before March.

I will say that emails like this last one are very unlikely to earn you a recommendation or vote. Occasionally being a bit hotheaded myself I get it, and I'll let it slide, but a word to the wise, don't make a habit of it.

John Phillips  
Region 6 Representative  
217-412-5973

On Fri, Feb 5, 2021, 8:33 AM <[thatpetitionguy@yahoo.com](mailto:thatpetitionguy@yahoo.com)> wrote:

"Then I recommend Mr Winger and Mr Johnson

John Phillips  
Region 6 Representative  
217-412-5973"

Who is Mr. Johnson? What is their experience in ballot access? I have been involved with LP ballot access for over two decades, and I am not aware of a Mr. Johnson.

In liberty,  
Andrew Jacobs  
702-785-4738

On Thursday, February 4, 2021, 01:17:32 PM EST, [thatpetitionguy@yahoo.com](mailto:thatpetitionguy@yahoo.com) <[thatpetitionguy@yahoo.com](mailto:thatpetitionguy@yahoo.com)> wrote:

Thanks for the words of support. I think that the Ballot Access Committee, as well as all other committees, should be filled with people who have experience in whatever the purpose of the committee is, and who also have backgrounds as Libertarian Party activists.

In liberty,  
Andy  
702-785-4738

On Thursday, February 4, 2021, 02:43:08 AM EST, Starchild for SF! <[realreform@earthlink.net](mailto:realreform@earthlink.net)> wrote:

John,

Do you know Andy Jacobs? He's got lots of on-the-ground experience petitioning for the LP, and (imho) generally good ideas about how drives should be handled to maximize the benefit to the party and the cause of freedom, including things like supporting petitioners who are illegally denied the right to petition in public places, giving precedence to hiring Libertarians who (unlike non-LP petitioners) will outreach for the party at the same time they're getting signatures, etc. I would encourage you to recommend him for a seat on the Ballot Access Committee as I think his perspective is needed. Putting you two in touch so you can ask him any questions you may have.

Love & Liberty,

(( ( starchild )))

On Feb 2, 2021, at 2:07 PM, John Phillips wrote:

Then I recommend Mr Winger and Mr Johnson

John Phillips  
Region 6 Representative  
217-412-5973

On Tue, Feb 2, 2021, 3:52 PM Joe Bishop-Henchman <[joe.bishop-henchman@lp.org](mailto:joe.bishop-henchman@lp.org)> wrote:

Technically I do pick the BA seats but welcome input from the committee, even in the absence of a committee chair. I've also asked for input from Mr. Redpath, whom I've nominated as Ballot Access Coordinator. JBH

On Tue, Feb 2, 2021 at 4:49 PM John Phillips <[john.phillips@lp.org](mailto:john.phillips@lp.org)> wrote:

The Chair said that B.A. filled its own seats ... To which I replied that we needed a chair to call a meeting, and quickly said "not it".

John Phillips  
Region 6 Representative  
217-412-5973

On Tue, Feb 2, 2021, 11:14 AM Caryn Ann Harlos <[secretary@lp.org](mailto:secretary@lp.org)> wrote:

Mr. Chair have you fully populated those committees? I only have the LNC seats populated and was waiting on word for your picks for the non-LNC seats.

**In Liberty,**



**LNC Secretary | [secretary@lp.org](mailto:secretary@lp.org) | 561.523.2250**