



# Free New York

June 1997

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The official newspaper of the Libertarian Party of New York

## Welcome, "New" Members

The Libertarian Party of New York has decided to join the United Membership Plan, which was recently set up by the national LP. Under this plan, a member of the state party is anyone who lives in New York State and is a member of the national party. All current members of LPNY who were not members of national will now be members of national as well.

According to Steve Dasbach, the Chair of the national LP, 25 states have already joined the plan. Under the new plan, national maintains the database and pays each state a portion of the money collected. This

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## To Contact

*Free New York*

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## Ithaca Hosts LPNY

### ■ '98 Counts re-affirmed

### ■ Wright reelected Chair

### ■ Bovard, Dasbach and others address

Libertarians from across New York met on May 31 and June 1 for the Libertarian Party of New York's annual convention. The convention was held at the Statler Hotel on the campus of Cornell University in Ithaca. There, the delegates re-affirmed '98 Counts, LPNY's plan to gain ballot status in 1998.

Lloyd Wright was re-elected as Chairman. Audrey Capozzi-Pappaeliou and Blay Tarnoff were elected Vice-Chairs. See page 2 for a complete list of the new officers.

Author James Bovard was the featured speaker after dinner on Saturday. Bovard's most recent book is Shakedown: How Government Screws You From A to Z. Bovard spoke of several IRS abuses, including raids on 2 Jewish Mother Restaurants in Florida. The raids were based on unsubstantiated allegations from a former employee who had been

fired for embezzling money from the restaurant.

LP National Chair Steve Dasbach addressed the delegates after lunch and stressed the importance of increasing the membership, because more members mean more money.. "Membership is the horse and everything else is the cart," he told the crowd. He said that from 1976 to 1996, Libertarian candidates for president have received vote totals that were directly proportional to the amount of money spent. The candidates all averaged between \$7.38 and \$7.90 per vote, which Dasbach said was comparable to what the Democrats and Republicans spend. To raise enough money to compete with them, the LP will have to increase its membership from its current level of 20,000 to 500,000 to 1,000,000.

Dave Delaney addressed the delegates before lunch. He is the publisher of Dave Delaney's Freedom House, an online magazine. He is the great-great-great-great-great-grandson of Patrick Henry. He has worked in the corporate world for

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## LPNY Convention

Whirlpool, Lockheed and Ryder. He is currently serving as a minister of a community church. He says his church has, "the only principally libertarian congregation in New York State."

"Taxation is not about money," he told the delegates. "Taxation is about liberty." He says that libertarians should emphasize rights rather than laws. For example, they should emphasize the right to free speech, not free speech; emphasize the right to keep and bear arms, not the keeping and bearing of arms.

For subscriptions to his magazine, contact him at FreedomH@Spectra.net.

Sam Kazman from the Competitive Enterprise Institute addressed the afternoon session of the convention. CEI seeks private solutions to regulatory issues. Kazman told how the FDA is subject to the phenomenon of "deadly over-caution." That is, they will always tend to delay release of new drugs rather than risk undesirable consequences. These delays can result in thousands of lives being lost because the treatment is unavailable.

Over \$2200 was raised for '98 Counts, LPNY's plan to gain ballot status by getting 50,000 votes for its gubernatorial candidate in 1998.

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## New Members

relieves the state chapters of the burdensome task of maintaining their own lists.

We have done our best to ensure that the two lists have been combined correctly, but some people may have been accidentally omitted. This mailing is going out to 884 people. That includes all current state and national members and all whose memberships expired on or after March 1. Please check with other Libertarians you know to make sure they're getting the mailing. Anyone who isn't getting the mailing and thinks he/she should be, should contact Dave Harnett at PO Box 188, Poughkeepsie, NY 12602. E-mail: doberman@sprynet.com. Phone: (914) 471-4958.

## Stengle Just Misses School Board Seat

Libertarian Michael Stengle missed winning a spot on the Wappingers Falls Board of Education by only 33 votes. In a seven-way contest over four seats on the board, Stengle finished fifth, with a total of 3576 votes. Wappingers Falls is in Dutchess.

Stengle has been a member of the Libertarian Party for less than a year. He joined the party after becoming interested in the Harry Browne campaign. Previously he had been a Republican.

This was his first run for public office, and he has not yet decided if he will run again next year. The campaign cost less than \$100 to run, mostly for flyers and signs. Wappingers residents Julie and Gilbert Unger helped Stengle with his campaign.

## Libertarian Party of New York State Committee

Chair: Lloyd Wright, 14 Riverview, Port Ewen, NY 12466 (914) 339-2613  
e-mail: lw.free.ny@mhv.net

Vice-Chairs: Blay Tarnoff, 50 DeKalb Ave., Apt S6, White Plains, NY 10605  
(914) 949-1945 e-mail: Blay@morgan.com

Audrey Capozzi-Pappaeliou, PO Box 613, Bellport, NY 11713  
(516) 286-7631 e-mail: Audgeo@aol.com

Secretary: David Harnett, PO Box 188, Poughkeepsie, NY 12602  
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(516) 764-0973

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(518) 371-3641 e-mail: JRuss1776@aol.com

Bonnie Scott,  
(914) 428-9163 e-mail: BJS2@Cornell.edu

## New York City Holds Convention

(excerpted from articles by Robert Goodman and Jim Strawhorn in LPQC News)

The New York City Libertarian Party convention was attended by some 60 enthusiastic, attentive persons from the city and elsewhere. It opened at 11AM on Saturday, April 19, in the Ninth Floor Solarium at Three West 51st Street, John Clifton emceeing.

LPNY Chair Lloyd Wright began proceedings by reporting on the trends of Party membership figures. With the Unified Membership Program (adopted pending a bylaws change by the LPNY convention), state membership officially jumps to about 1,000. He said the Ithaca location of the upcoming LPNY convention was chosen in part to help organize the western part of the state, where local party building has flagged lately.

Robert Schulz, president of All-County Taxpayers' Association (ACTA), next told us about the recent establishment of a people's New York Congress, interacting with local committees, to promote a "yes" vote on this November's ballot question on whether to hold a state constitutional convention. The consensus of the Congress has been that delegates to such a convention should not be officials of government or of state-established political parties.

Among reforms he'd like, he ranked highly open ballot access,

tighter controls on incurrence of new debt, ending cronyism, and a unicameral legislature. He gave ACTA's URL: <http://webny.com/acta>.

Don Gorman, the Libertarian who served four terms in the New Hampshire House of Representatives, led off the convention's afternoon business sessions. Gorman discussed strategies for winning. In nonpartisan elections (such as school board), work to build your name recognition. Meet people, listen to their problems, and tell them how you'll address them.

Hugh Loebner was the only member who expressed an interest in running for office. He was seeking the nomination for mayor. "There is a constituency in New York for decriminalizing prostitution and drugs, as well as running an efficient government," he told the delegates. But when questioned about rent control and gun ownership, his responses dissatisfied many members. He said that although he is not a libertarian on all issues, he is outraged by the erosion of individual rights and the disregard for rule of law that are taking place in America, and would like to speak out about these issues.

A vote was taken between Loebner and None of the Above. The result was Loebner, 5, NOTA, 8. The convention then declared vacancies in all citywide offices and elected a committee

on vacancies.

The LPQC's annual convention was the final business of the day. Two matters were before us: amendments to our bylaws and electing officers. Two amendments--one expanding the portion of the year in which we can hold our convention, the other increasing the size of the executive committee--were approved.

Officers elected were: John Clifton, Chair; Joe Quinn, Vice-Chair, Programs; Jim Strawhorn, Vice-Chair, Publications; Ed Velez, Secretary; Bob Knipe, Treasurer; and Bradford Arter, Representative to LPNY. Siegie Kress and Elliott Werner were elected as Councillors. The offices of Vice-Chair; Vice-Chair, Campaigns; and Membership Secretary were not filled. John Procida, our Vice-Chair last year, and Tod Ginnis, who has agreed to serve as Membership Secretary, had to leave before this session and were not elected in absentia.

## State Committee to Meet

The State Committee of LPNY will hold its next quarterly meeting on Saturday, July 26, at the Sloatsburg service area on the New York State Thruway. The meeting room is on the second floor. Open discussion starts at 10 AM and the business meeting starts at noon. All members of LPNY are invited to attend.

## Candidates Wanted

by Audrey Capozzi-Pappaeliou

The State Committee is coordinating information on Libertarians running for elected office throughout the state. Please get the name and office you are seeking to Audrey Capozzi-Pappaeliou, P.O. Box 613, Bellport, NY 11713, (516) 286-7631, email AUDGEO@aol.com This procedure is merely for organizing and disseminating information and does not imply sanction or approval by the State Committee.

Let's hope we get candidates of the quality we had during the initial stages of the '94 gubernatorial campaign - e.g. Dottie-Lou Brokaw, James Ostrowski, Norma Segal and Joseph Brennan!

## Nassau Elects Officers & Nominates Candidates

The Nassau County LP has elected new officers and nominated four candidates for the upcoming elections. The new officers are: Chair - Jim Harris, Vice-Chair - Richard Cooper, Secretary - Vincent O'Neill, and Treasurer - Bill Stocker.

The four candidates are Vincent O'Neill for Supervisor, Ira Raab for Count Court Judge, Steve Edmondson for County Legislature and Dan Conti for District Attorney.

The next monthly meeting will be on June 18 in the conference room at 230 Hilton Avenue, Garden City. Meetings are from 8 to 9:30 PM. For more information, call (516) 292-8340.

## Suffolk Holds Convention

by Audrey Capozzi-Pappaeliou

Coalition was the theme for the Suffolk convention on May 10. Barry Loberfeld put together an array of speakers from a variety of points of view - some "fellow travellers," and some former Perot people. We had local pols running for judgeships, Tax-Packers, NRA officials, and National Review types all breaking bread at The Castle Restaurant in Islip from 12:30 - 4:30. The good thing about this was that they all brought their own cheering sections, who purchased the luncheon, raffle tickets, and donated heavily when Blay Tarnoff spoke to them about how and where the fund raising money would be spent. This was the most successful fund raising event in the history of Suffolk County Libertarian Organization's (SCLO) existence.

The speakers were Robert Firriolo of the NRA, Matthew Carolan of the National Review and Newsday, Lee Lutz of UWSA and Peter Candela of Tax-Pac. Representatives of other alternative parties were in attendance as well.

Other items of interest were the difficulties encountered in taping a Public Access TV show. Apparently, the laws may be being violated to stifle alternative views? Many of the local cable companies are charging big bucks for cable access time. Others require the group to provide their own workers to man the cameras.

The hitch here is that required training sessions are put off for months (hoping we will go away?).

OPH booths are being run regularly at local gun shows. Our speakers bureau is sending out mailings to local groups - local colleges, Rotary, Chambers of Commerce, etc. - to schedule speakers who will bring in the booth and present the Nolan Quiz on an overhead projector. We have purchased speakers training kits from the Advocates for Self-Government and are sharing them among all members on a lending library basis. Tim Curry sells flags, Civil War and Revolutionary War memorabilia at all sorts of events and was kind enough to set up a booth at the convention. Gail and Jack Bova had cups with the Nolan chart for sale.

We are on our way to becoming a real party (threat) to the Demopublicans and Republicrats in Suffolk!

## Address Changes

The mailing list for LPNY is now being maintained by national. All address changes/corrections can be sent to:

Libertarian Party HQ  
Watergate Office Building  
2600 Virginia Ave. NW,  
Suite 100  
Washington, DC 20037



## Court Strikes Down Jury Nullification

On May 20th, in Manhattan, the U.S. Court of Appeals for the 2nd Circuit struck down the practice of "jury nullification" and ruled that jurors must uphold the law even if they disagree with it. It is believed to be the first time in this country that a Federal court has ruled on nullification. Judge Jose A. Cabranes who wrote the decision for the unanimous, three-member court said, "a presiding judge possesses both the responsibility and the authority to dismiss a juror whose refusal or unwillingness to follow the applicable law becomes known to the judge." Cabranes also said, "It would be a dereliction of duty for a judge to remain indifferent to reports that a juror is intent on violating his oath."

The case involved an Albany family that was accused of running a drug operation that distributed almost 200 pounds of cocaine over the course of a year. Leslie W. Davis of Schenectady was one of the twelve jurors who heard the case. During deliberations, he reportedly told the other jurors that he would vote "not guilty," because he felt that the defendants were acting out of economic necessity and that they had a right to deal drugs.

U.S. District Judge Thomas J. McAvoy, who was trying the case, said that several jurors sent him notes asking to have Davis removed from the jury. They

complained that Davis was refusing to deliberate in good faith, had threatened to strike a fellow juror and had called other jurors racists. Davis was the only black on the jury. All of the defendants were black.

McAvoy eventually removed Davis from the jury, and the remaining 11 jurors convicted all the defendants.

Ironically, the appellate court overturned these convictions, ruling that there was not sufficient evidence to prove that Davis was not basing his decision on the evidence. "He said nothing in his interview with the court to suggest that he was not making a good-faith effort to apply the law as instructed to the facts of the case," Cabranes wrote. He continued, "A presiding judge faced with anything but unambiguous evidence that a juror refuses to apply the law as instructed need go no further in his investigation of the alleged nullification."

Entitled to a new trial are:

Ramsey Thomas, 27, who was sentenced to 24 years.

Jason Thomas, 31, who was sentenced to 14 years.

Tracy Thomas, 32, who was sentenced to 10 years.

Grady Thomas, 39, who was convicted of selling cocaine.

Loray Thomas, 36, who was sentenced to 8 months and has since been released.

## Oops!

■ Sorry about that

Our apologies. We goofed. During the fall of last year, the LPNY Post Office box in New York City was closed for a short period of time. Letters that were sent to box 1664 at that time were returned to the senders, if possible, though some of the letters took months to be returned.

PO Box 1664 is now open. We apologize to all for the inconvenience.

### 6th Annual HempSplash

Modena, NY

June 20-21

Contact:

NYS Cannabis Action Network  
Hudson Valley Hemp Council  
PO Box 775

New Paltz, NY 12561  
(914) 255-7609

### "Camp Creek"

India Lookout Country  
Club

Duanesburg, NY

July 25-27

info and directions:

[http://www.maxcreek.com/dates/road\\_html](http://www.maxcreek.com/dates/road_html)  
(860) 653-7616

Contact Bonnie Scott, (914) 428-9163 or [bjs2@cornell.edu](mailto:bjs2@cornell.edu) if you want to meet up with other Libertarians at the events and distribute literature. OPH veterans needed to help plan and coordinate!

## Local Chapters: Read This

LPNY bylaws state that each local chapter in the state is entitled to one representative on the State Committee. These representatives are counted when calculating the total needed for the State Committee to have a quorum. Most meetings have been just barely able to obtain a quorum.

Part of the problem is that some of the recognized local chapters have become inactive. In some cases, they may not even have a representative to send to the meetings.

To help ensure that only active chapters are counted in the future, the State Committee has asked that all local chapters provide the Secretary with the following information:

\* county/counties covered by the local chapter

\* names of the local party officers including the representative to the State Committee

\* names of four members who live within the county/counties covered. These may be the same four members who are officers.

Each local chapter should provide this information to Dave Harnett, PO Box 188, Poughkeepsie, NY 12602. E-mail: doberman@sprynet.com.



## How to Join the Libertarian Party of New York

### Our Objective:

The extension of individual freedom to its furthest limits.

### Our Principles:

1. Each individual possesses the inalienable right to life, liberty and justly acquired property.
2. No person or institution, public or private, has the right to initiate the use of force against another.
3. All individuals are entitled to choose their own lifestyles, as long as they do not forcibly impose their values on others.
4. The only moral basis of politics is the preservation and protection of individual rights.
5. The voluntary and unrestricted exchange of goods and services is fundamental to a peaceful and harmonious society.

I hereby subscribe to the Objectives and Principles of the Libertarian Party of New York, certifying that I do not believe in or advocate the initiation of force or fraud as a means of achieving political or social goals.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

County: \_\_\_\_\_ (we organize by county)

E-Mail: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Occupation: \_\_\_\_\_

☐ Joint Regular NY and National \$25

☐ Sponsor \$40 ☐ Patron \$100 ☐ Student \$5

☐ Non-Member Subscriber to newsletter \$17.76

☐ Renewal  
☐ New Member

Make checks payable to: Libertarian Party of New York, and mail to Libertarian Party of New York, PO Box 1664, New York, NY 10013-1664