



# California Libertarian News

Volume 6, Number 6

September 1991

## McCANN CAMPAIGN STAYS IN SPOTLIGHT



Two weeks ago we sent a special edition of *CL News* urging support for **Dr. David McCann**, Libertarian candidate in the September 17 special election for the 5th State Assembly District. He is in a two-way race with a moderate Republican named B. T. Collins. Collins is backed by Governor

Pete Wilson but opposed by many conservatives and Republican stalwarts.

As we go to press, Gun Owners of California (chaired by former State Senator H. L. Richardson) has endorsed McCann and offered financial support. The American Pistol and Rifle Association and the National Tax Limitation Committee will be sending out mailers on McCann's behalf. It is possible that the National Rifle Association will also support the campaign. If you are a member of NRA, please contact them and urge them to support David McCann.

Since this is a special election, besides being a race with no Democrat running, turnout will likely be very low. Only 25,000 voters are expected, fewer than voted in Simi Valley when Libertarian **Sandi Webb** was elected to the City Council last November. Your generous support is needed to finance what could be the most successful partisan campaign in the history of the California LP. Please send your contributions to David M. McCann for Assembly Committee, 3910 Villa Court, Fair Oaks, CA 95628. To volunteer your time, call (916) 988-7174. CLNews

## CANDIDATES NEEDED FOR '92 ELECTION

In July we ran an article urging Libertarians to come forward to run for office in 1992. 154 positions are open: 2 U. S. Senate seats, 52 U. S. House seats, 20 State Senate seats, and 80 State Assembly seats. The response was excellent, with at least 15 people calling or writing to say they were willing to be candidates. Voters in every district need to know there is an alternative to the tax-and-spend Republicrats.

For more information on what is required to be a Libertarian candidate, call Campaign '92 director Ted Brown at (818) 568-8404, or your county chair (see page 7). Remember, filing for these offices starts in January, so we need to know who you are. Volunteer today, or you may get a call from the candidate recruiters tomorrow! CLNews

## CELEBRATE JURY RIGHTS DAY

Fully Informed Jury Association (FIJA) activists and friends are urged to be out on local courthouse steps around the nation on Wednesday, September 5 to commemorate the historic acquittal of William Penn. That was the day in 1670 when Edward Bushell and his fellow jurors refused to convict Penn of preaching the Quaker religion. This event was a milestone in our legal tradition, because it not only established the jury as a means of protecting our natural rights, it also established what became our First Amendment rights of freedom of religion, speech, and assembly.

As part of the festivities, one million Jury Rights Day brochures will be distributed nationwide. National media will cover FIJA coordinator Larry Dodge at the Jefferson Memorial in Washington, D. C. Join us on your lunch hour at your local courthouse to ensure that some potential jurors learn of their right to judge the law as well as the facts of a case. For information on Jury Rights Day events in your area, contact your county chair (see page 7) or FIJA California, 24828 Canyon View Court, Hayward, CA 94541, phone (415) 889-1544. CLNews



## DIXIANNE HAWKS NEEDS YOUR SUPPORT

As we reported previously, Libertarian **Dixianne Hawks** of Magalia has been charged with jury tampering for passing out fully informed jury literature at the Butte County Courthouse. She will go on trial at that same courthouse on September 3.

Ms. Hawks has been trying for months to obtain a competent attorney. She cannot afford a private attorney and could end up in jail. She claims that her court-appointed "counsel" is not defending her properly because he is not a constitutional scholar and is not trying to defend her right to free speech. She needs your help, or she may not be able to get a fair trial.

Remember, she is in this predicament because she was working to further freedom via the Fully Informed Jury Amendment. To offer words of encouragement, call (916) 877-4636. To donate to her defense fund, send your checks to Dixianne Hawks, 13803 N. Granada Drive, Magalia, CA 95954. CLNews

**NEXT MONTH!! NATIONAL CONVENTION RESULTS.**



## EVERLING INCREASES TOTAL IN RUNOFF

On July 30 Libertarian **Michael Everling** competed in a runoff in Los Angeles' 46th State Assembly District. The vacancy occurred when Assemblyman Mike Roos resigned to head a foundation to aid Los Angeles' schools. The results were:

Barbara Friedman (Dem)	8,366	72.5%
Geoffrey Church (Rep)	2,420	21.0%
Elizabeth Nakano (P&F)	575	5.0%
Michael Everling (Lib)	172	1.5%

Unfortunately, the vote total was low, as this is a very liberal urban district with less than 500 registered Libertarians, and a consistently low voter turnout. In any event, Everling, chair of Region 64, tripled his vote percentage from the initial election on June 4.

## FAX PHONE TREE PROPOSED

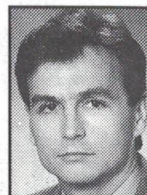
by Mark Hinkle

The Libertarian Party of California has begun a program to make the LPC more visible to the media. Specifically, we have the FAX phone numbers of most of the media throughout California.

When we have something newsworthy, such as the Republican legislator in New Hampshire (**Calvin Warburton**) who resigned from the GOP to join the Libertarian Party, we have **Dick Rider** use the FAX boards in his computer to broadcast the news up and down the state.

However, 300-plus phone calls per night, even after 11 p.m., does get costly. Dick Rider and I have discussed an idea to reduce these costs and reach additional media. We would like to find volunteers who have FAX boards who can receive these FAXes and forward them on to their local media outlets. It would be very much like a phone tree, but using FAXes instead.

If you are interested in helping, please call Dick Rider at (619) 276-1776 or Mark Hinkle at (408) 227-1459, FAX (408) 972-9633.



## FROM THE CHAIR

Pat Wright

After being on the job for the past six months, things are beginning to get fun. A great big welcome to the 400 or so people who have joined in the past two months. Our paid membership is about 2,500 and still rising.

It is especially heartening to see some of the mail that has come in. I think there is a clear feeling among Republicans that their party no longer has any claim to be the party of small government. For those who do believe in limited government, there is only one political party, the Libertarian Party.

And we are still reaching out to those who are disgusted with Pete Wilson's new and higher taxes. Our mailing to the National Taxpayers Union will have gone out by the time you read this. The LPC itself has 8,500 names in its database of people who have at one time supported either the national or state Libertarian Party. They are all being asked to come back.

Since we are the only political party in California that is working for lower taxes, I believe it is time for the LPC to sponsor an initiative to do just that. I have been working with Manny Klausner, a Libertarian attorney from Los Angeles who has an extensive background in initiatives, to draft a tax limitation initiative. I will have a proposal for the state executive committee before the October 12 meeting and will ask for a tentative approval.

I would love to be able to announce that the LPC is going to sponsor the initiative at the October 12 banquet featuring Assemblyman Tom McClintock (see page 3). McClintock worked against Wilson's tax hikes and bloated budget in the State Assembly, and I can't think of a more receptive audience to hear him speak and to support the initiative. I realize that statewide initiatives are an incredible amount of work because of the signature requirements, but I don't think the LPC should be afraid of the task. If the LPC is afraid to work against higher taxes, then there is no reason for a Libertarian Party.

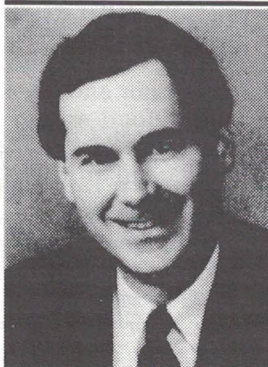
One final note: Some of our new members have asked about getting more information to friends and family members who may be interested in the Libertarian Party. If you know someone who may be interested, we would love to send them an information packet. Please send their names and addresses to Libertarian Party of California, c/o Dick Rider, 3161 Fryden Court, San Diego, CA 92117.

## THE WIZARD OF ID By Brant Parker and Johnny Hart





## UPCOMING EVENTS



Tom McClintock

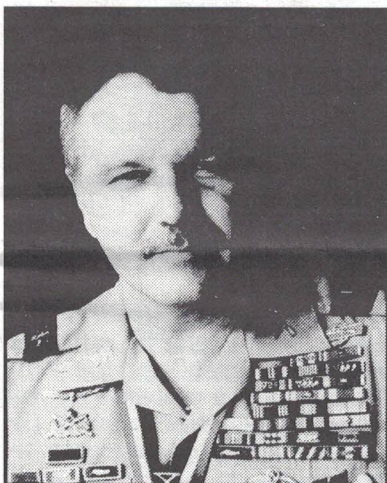
### TOM MC CLINTOCK: DO LIBERTARIANS HAVE A FRIEND IN THE LEGISLATURE?

Assemblyman Tom McClintock (R-Thousand Oaks) has been a true friend of economic liberty. When Governor Pete Wilson announced that a \$14 billion budget deficit had to be erased by raising taxes and reducing the rate of increase in government programs, McClintock countered with a solid proposal on how to cut \$14 billion

from the \$56 billion state budget. Libertarian Party leaders suspect that a coalition can be built with McClintock and his allies to push a new anti-tax initiative for the 1992 ballot. McClintock has also argued against mandatory motorcycle helmet laws and was one of the few state legislators to support

Proposition 130, last year's term limitation initiative. He has publicly called himself a small "l" libertarian.

McClintock has agreed to speak to a gala Libertarian banquet on Saturday, October 12, to follow the quarterly state executive committee meeting. Location is the Odyssey Restaurant, overlooking the 405 Freeway at Rinaldi St., in Granada Hills (north San Fernando Valley). Time is 6:15 p.m. for cocktails, 7:15 p.m. for dinner, and 8:15 p.m. for the program. Cost for dinner and program is \$30 in advance (must be paid by October 7) or \$40 at the door. Program only is \$10 in advance, \$15 at the door. Send your checks to Libertarian Party of California, P. O. Box 1492, Moreno Valley, CA 92556. For information, call Pat Wright at (619) 497-1085. For directions to the restaurant, call (818) 366-6444.



### GRITZ TO SPEAK ON CIA DRUG-RUNNING

Bo Gritz, the retired Green Beret colonel who was the inspiration for the movie character "Rambo," will address a brunch program on Sunday, September 29. The subject will be how the U. S. government's drug war deceives the American people and themselves. Gritz will discuss the irony of the feds aggressively fighting a drug war at home and in South America, when they have long been involved in a drug-running operation in Southeast Asia. Come to this exciting and controversial program to hear more.

The location is the Radisson Hotel, 6300 Telegraph Road, in the city of Commerce (southeast of downtown Los Angeles, exit the 5 Freeway at Telegraph Rd., the hotel is visible from the freeway). Brunch is at 10 a.m. and the program is at 11 a.m. Cost for brunch and program is \$20 in advance (must be paid by September 23) or \$25 at the door. Program only is \$7 in advance, \$10 at the door. Send your checks to Libertarian Party of Los Angeles County, P. O. Box 547, Reseda, CA 91337. For more information, call Bernard Zimring at (818) 785-0384.

CLNews

### CONSTITUTIONAL STUDY GROUP MEETS IN BAY AREA

The Constitutional Study Group/Free Enterprise Society holds meetings twice monthly, in Berkeley and in San Francisco, to present speakers who defend our constitutional rights. Past speakers have included Professor Alan Schefflin of the University of Santa Clara, who is one of the very few legal scholars defending the right of jurors to judge the law as well as the facts of a case.

The September speaker will be Norman Vroman, a former judge from Mendocino County. He will speak on Tuesday, September 24, at the Finnish Brotherhood, 1970 Chestnut St., in Berkeley, and on Wednesday, September 25 at the Wawona Club House, 20th Ave. and Wawona St., in San Francisco. For more information, contact Godfrey Lehman at

333 Kearny St., San Francisco, CA 94108, phone (415) 362-0790.

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for your generous support of the  
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## LETTERS TO THE EDITOR

**California Libertarian News** is the official newsletter of the Libertarian Party of California. Opinions and articles contained within do not necessarily represent official party positions unless so indicated. Please send articles, local news, photos, letters, and advertising copy to the editor: **Ted Brown**, 125 N. Allen Ave. #107, Pasadena, CA 91106 (818) 568-8404

### California Tax Increase

#### **Editor:**

At the same time that we find we are plagued with an 8.2% unemployment rate, the yahoos in Sacramento are saddling us with the biggest tax increase in the history of our state. Even the Keynesian socialist economists at the Peoples Republic of Berkeley point out that this is the wrong time to be raising taxes.

California has become such a high tax, anti-business state that one out of every seven large corporations has made plans to leave the state for better economic climates. Small businesses have already been devastated by the onerous tax and regulatory burdens.

Meanwhile, welfare costs soared 28% in 1990. The Caltrans employee waving a flag at cars passing highway construction now earns over \$25 per hour (\$42 per hour on Sundays). The average state prison guard makes \$53,000 per year.

The Golden State has become a gold mine for goldiggers and goldbrickers, but the producers are leaving in droves. This madness cannot be allowed to continue.

**Dick Rider**  
San Diego, CA

### Lying to the Judge

#### **Editor:**

Regarding your editorial, "The Law as a Weapon" (August issue), instead of lying to the judge because he is a state minion, one must lie to him because he is lying when he tells a juror that only the facts (of the case) must be judged.

**Doug Fowle**  
Redondo Beach, CA

*(The editor responds: Mr. Fowle's reason for lying to the judge is certainly correct and would be more acceptable to the average person than my own. I thank him for his input.)*

### Turned Off By Editorial

#### **Editor:**

Being favorably impressed with the Libertarian Party's positions on our multitudinous propositions each election day, I finally telephoned your office for information. I appreciate the prompt response. I am writing to relate my reaction to the material.

I agree with a surprising (to me) number of your positions. Notable exceptions are the environment, international dealings, capital punishment, and jury nullification.

But those disagreements are not the reason I will not join your party. I have been turned off by your editorial "The Law as a Weapon." Espousing tactics such as your proposal to undermine the IRS is unacceptable to me. I want no part of a group which uses destructive, negative, and probably illegal tactics against a legiti-

mate organization, even if I don't like the organization. If the editorial is a joke, I didn't get it.

**Bob Foley**  
Vacaville, CA

*(The editor responds: The editorial was not a joke, and I am sorry that Mr. Foley focused on an area I mentioned only in passing. "Sabotaging" the IRS doesn't mean throwing a bomb; it could be as benign as putting a virus in their computer system. However, the goal of the editorial was for Libertarians to recognize how laws and the legal system are abusing our individual rights and how we can fight back to protect those rights. By the way, I don't believe the IRS is a "legitimate organization.")*

THE BOATS TOO HEAVY, ONE OF US WILL HAVE TO SACRIFICE HIMSELF TO SAVE THE OTHERS— BEFORE I ASK FOR A VOLUNTEER, DO ANY OF YOU WORK FOR THE IRS?



### Don't Turn off Voters

#### **Editor:**

On June 21 a letter to the *Sacramento Bee* stated that it was "almost impossible to tell the difference between a Republican and a Democrat," and the writer said he would "vote Libertarian as a protest." On July 2 a local LP activist replied in the letters column that "We" would prefer that voters first find out controversial positions that the party holds, such as decriminalizing drugs and prostitution, abolishing the CIA and FBI, privatizing welfare, etc.

In the July LP News, National Chair **Dave Walter** wrote about the phenomenon which **Michael Emerling** has dubbed "macho flashing," which is "the deliberate calling of attention to those aspects of our philosophy most calculated to outrage and shock large segments of the population." Walter pointed out that for 20 years, Libertarians have been shooting themselves in the foot and finding it rough fighting negative public perceptions.

Much of the Libertarian platform alienates the sensibilities of the government school "educated" public. It is essential to understand how our message is received in a conservative district, such as the one in Sacramento where one of our more credible candidates, **Dr. David McCann**, has a good chance to score big in the September 17 special election runoff against only one major party candidate.

No Libertarian has ever been, nor are they ever going to be, elected by preaching ideology. Elections are won on the personal credibility of our candidates and on their ability to present practical solutions to political problems. The public need not support every plank of



our platform. They can support us simply because they agree with more of what we say than of what they read from the lips of the "Rip-off-agains" or "Demagogues." Libertarianism isn't about "political correctness" with everyone marching in ideological lockstep. It's enough for the public to support us generally because we are the only party that will cut their taxes and get government off of their backs.

**Randall Grindle**  
Lower Lake, CA

## More Acceptance for LP Positions

### Editor:

I have been active in the LP for 19 years—since the Hospers campaign of 1972. I remember when we were confused with librarians and libertines, when we were considered ultra-right fringe crazies and ultra-left fringe crazies. I have recently noticed what I think is a significant change.

In the past few months I have been spending time camping, backpacking, and at Sierra Club meetings—among people I didn't know before and assumed would be hostile to libertarianism. My friend who accompanies me likes to tell friends that I ran for Congress as a Libertarian, then sit back and listen to the discussion that follows.

At first I thought he was throwing me to the proverbial wolves. To my surprise, the first person he told responded that he was a libertarian too and he probably had voted for me. Another, who was raised by parents very active in radical left causes and considered himself a liberal, said he respected many libertarian positions and was particularly impressed with our opposition to U. S. involvement in the Persian Gulf War. (I was surprised he even knew our position!) He was quite interested in hearing more about the libertarian approach to other issues, not just ones where a traditional leftist would be on our side. We had an in-depth discussion, and he agreed with much of what I said.

Another new acquaintance who lives in Berkeley and gives every impression of being very liberal said he was getting more sympathetic to libertarianism since he started remodeling his basement and was hassled by the Berkeley city government about needing permits. Well, that's just one issue where the power of the state interfered with him directly, so I didn't expect much when I gave him the "World's Smallest Political Quiz." He scored 100% on both civil liberties and economic freedom questions!

Overall, I am finding that more people have a fairly clear idea of what we stand for, and more people are sympathetic to our analysis of political issues and our positions. I have encountered interest, some support, and a lot of disagreement, but almost no hostility. People are willing to listen to us with more respect than at any time in the past.

Certainly, virtually all the people at a Sierra Club meeting, or at a slide show by someone who leads treks through Nepal, are happy to have the government prohibit off-shore oil drilling, restrict development of wilderness areas, and require recycling. Many of them probably believe we need some kind of national health insurance program. We libertarians still have a huge

educational effort ahead of us. But we are making tremendous progress.

**Sara Baase**  
La Mesa, CA

## Looking for Discussions

### Editor:

I am a new member of the Libertarian Party and would like to have a political discussion with a fellow member. I don't expect you to release the names of other members in my area, but I left a message on your computer bulletin board (bbs) giving my name and telephone number. I got no reply. I checked to see if there were any replies on the bulletin board, but there were none. Doesn't anyone call the bbs? I can get a better political discussion on any bbs in Sacramento than on yours.

As for the topic of discussion ... who cares if there is a "third" political party or not? You go out and give leaflets to jurors and get arrested for jury tampering. All this does is cause legal bills for you and doesn't affect society one little bit. Look folks, I as an average American have my beer, cable TV, and stereo. Why should I care? The standard of living here is far better than any in the world. With the political system that is currently in power, why rock the boat?

If I can be convinced (without harassment) that the goals of the LP are both sincere and practical, then I will help. Otherwise count me out! If you wish to contact me, then call either of these bbs's that I call daily under the handle "stupendous man": Dragons Den BBS (916) 369-6787 and Chat City BBS (916) 638-2428.

If there is any political party whose members would own computers, it is this one. Freedom of speech really exists at these bbs's and you may be able to recruit new members if you are convincing. The newsletter reports 71 members in my area. If one of you can contact one of these bbs's, please do so. I would like to have a discussion with you.

**John Warren**  
Woodland, CA

## **CORRECTION**

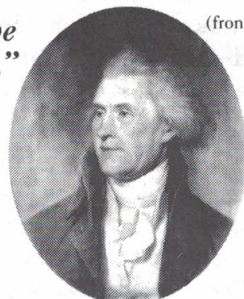
Last month we reported that the LPC platform was available for 35 cents a copy from The Printed Image. This was incorrect. Copies can be ordered for \$1.00 each (including postage) from LPC Secretary Ed Moss, 334 N. Lemon #6, Ontario, CA 91764, or for \$2.00 each (including postage) from The Printed Image, P. O. Box 2356, Buena Park, CA 90621. We apologize for any inconvenience this has caused our readers or the vendor.

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debarred the use of arms."*

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## ENGLISH USAGE EXPERT INTERPRETS 2ND AMENDMENT

by J. Neil Schulman

I recently had a conversation with Mr. A. C. Brocki, editorial coordinator for the Office of Instruction of the Los Angeles Unified School District. Mr. Brocki taught Advanced Placement English at Van Nuys High School for several years, as well as having been a senior editor for Houghton Mifflin. He is considered the foremost expert in grammar in the school district, the person others go to when they need a definitive answer on English grammar.

I asked Mr. Brocki to parse the following sentence: "A well-schooled electorate, being necessary to the security of a free State, the right of the people to keep and read books, shall not be infringed."

Mr. Brocki informed me that the sentence was overpunctuated, but that the meaning could be extracted anyway. "A well-schooled electorate" is a nominative absolute. "being necessary to the security of a free State" is a participial phrase modifying "electorate." The subject (a compound subject) of the sentence is "the right of the people." "shall not be infringed" is a verb phrase, with "not" as an adverb modifying the verb phrase "shall be infringed." "to keep and read books" is an infinitive phrase modifying "right."

I then asked him if he could rephrase the sentence to make it clearer. He responded, "Because a well-schooled electorate is necessary to the security of a free state, the right of the people to keep and read books shall not be infringed." I asked if the sentence could be interpreted to restrict the right to keep and read books to a well-schooled electorate—say, registered voters with a high-school diploma? He said, "No."

I then identified my purpose in calling him, and read him the 2nd Amendment in full: "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." Mr. Brocki said he thought the sentence had sounded familiar, but that he hadn't recognized it.

I asked, "Is the structure and meaning of this sentence the same as the sentence I first quoted you?" He said, "yes." I asked him to rephrase this sentence to make it clearer. He transformed it to: "Because a well-regulated militia is necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed."

I asked him whether the meaning could have changed in 200 years. He said, "no." I asked him whether this sentence could be interpreted to restrict the right to keep and bear arms to "a well-regulated militia." He said, "no." According to Mr. Brocki, the sentence means that the people *are* the militia, and that the people have the right which is mentioned.

I asked him if another professional in English grammar or linguistics could interpret the sentence to mean otherwise. He said that he couldn't see any grounds for another interpretation. I asked him if he would be willing to stake his professional reputation on this opinion, and be quoted on this. He said, "yes." At no point in the conversation did I ask Mr. Brocki his opinion on the 2nd Amendment, gun control, or the right to keep and bear arms.

*(J. Neil Schulman is the author of Alongside Night (1982) and The Rainbow Cadenza (1983). He has recently founded the Committee to Enforce the Second Amendment.)*

## BORDER ISSUES COMMITTEE FORMED

San Diego Libertarian **Ricardo Duenez** has formed the Libertarian Border Issues Committee, which is described as a "private, non-profit, independent, self-appointed watchdog committee." It is committed to:

- 1) to discreetly monitor the conduct of the U. S. Border Patrol, INS and Customs officials;
- 2) to encourage and solicit the filing of complaints by persons who have been victims of unprofessional conduct or abuse by officials of these agencies;
- 3) to investigate, document and publicize such incidents and unprofessional conduct and abuse, and to forward the documentation to various federal agencies, select members of Congress, and the media;
- 4) to work in cooperation with other organizations whose purposes and goals are similar in nature, and who do not advocate the initiation of physical force or violence to achieve their goals;
- 5) to monitor legislation and political issues involving immigration, customs, international trade and relations, and other "border" issues;
- 6) to advocate the libertarian position on such issues, and to lobby against more restrictive legislation or greater powers by the agencies mentioned above; and
- 7) to be available as an informational resource and consultant on issues involving the border, immigration, customs, and other related matters.

For more information, contact the Libertarian Border Issues Committee, P. O. Box 3395, San Diego, CA 92163, phone (619) 295-2830.



### Libertarian Border Issues Committee

ADVOCATING OPEN BORDERS, FREE MIGRATION, AND FREE TRADE  
MONITORING AND DOCUMENTING THE CONDUCT OF UNITED STATES  
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(figure in parentheses is dues-paid membership)

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63 Foothills (70)	Ken Saurenman	(818) 574-8181
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San Diego (462)	Jim Lorenz	(619) 276-1776
San Francisco (74)	John Whisman	(415) 921-6008
San Joaquin (6)	Debra DeZarn	(209) 957-0118
San Luis Obispo (25)	Howard Dilbeck	(805) 466-1998
San Mateo (45)	Christopher Inama	(415) 593-7639
Santa Barbara (37)	Michael Lamboley	(805) 964-9569
Santa Clara (286)	Jon Petersen	(408) 778-1802
Santa Cruz (58)	Bill Anderson	(408) 476-9753
Shasta/Tehama (20)	Ross Crain	(916) 527-2676
Siskiyou (3)	Gary Mortenson	(916) 468-5355
Sonoma (34)	Jim Oglesby	(707) 894-2658
Tulare (11)	Roy Kendall	(209) 732-3237
Ventura (56)	Aaron Starr	(805) 583-3308
Other Counties (15)		(800) 637-1776
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## Libertarian Party of California

286 Greenhouse Mkpl. #362  
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## NEWS BRIEFS

### The good ...

- A number of Sikhs throughout California say they will defy the new state law that requires them to wear motorcycle helmets. This is because the helmet can only be worn at the expense of a turban, a symbol of their religious faith. "I'm going to continue to ride my motorcycle, and I'm going to continue wearing my turban," said Guru Bir Singh Khalsa, a Monterey electrician. "We shouldn't be passing laws with what we have to be doing with our bodies. I will go as high as I can in court to protect my religious freedom." In England, Sikhs are exempt from helmet laws.

—submitted by **Khalsa Singh**

- The U. S. 9th Circuit Court of Appeals delivered a stinging rebuke to the Immigration & Naturalization Service (INS) August 9, ruling that the agency's policy of keeping children in custody pending deportation hearings unless an adult relative is available to take them violates the Constitution. In the 7-4 decision, Judge Mary Schroeder wrote that authorities have no right to detain children (mostly from Central America) "who have not been convicted of any crime, do not pose a risk of flight, and who have not been determined to present any threat of harm to themselves or to the community."

- In London, Prime Minister John Major's government has decided to deregulate the city's bus system, which means that just about anyone with a bus-like vehicle can set up service along the capital's streets. Opponents fear that the double-decker red buses, a famous London symbol, may become an endangered species.

### and the bad ...

- The same 9th Circuit Court of Appeals also ruled that the city of Sacramento can charge commercial builders additional fees to help pay for low-income housing when their developments bring an influx of new workers. The law requires builders to pay fees ranging from 25 cents to 95 cents per square foot to assist in the financing of new low-income housing needed as a consequence of commercial development. The Commercial Builders of Northern California challenged the law,

arguing that the fee program constituted an unlawful taking of their property in violation of the U. S. Constitution. The same Judge Mary Schroeder took the anti-freedom line this time and ruled against the builders. Judge Robert Beezer dissented, "The ordinance is nothing more than a convenient way to fund a system of transfer payments." Sacramento projected the ordinance would raise about \$3.6 million annually. "There is no doubt that cities feel strong pressure to raise revenue and at the moment" imposing such fees is "the path of least resistance," said UC Berkeley law professor Joseph Sax.

- The House on a voice vote (no roll call of members) passed a \$23,200 pay raise for the U. S. Senate in a bill that would also virtually eliminate public disclosure of gifts that lawmakers take from lobbyists and others. The raise would bring Senate salaries to the same \$125,100 per year that House members have been paid since January 1. The Senate is expected to approve the bill and President Bush is expected to sign it

## BILL WHITE DEFENSE FUND ESTABLISHED

by **Mark Hinkle**

*CL News* previously reported that **Bill White**, his wife **Kathy White**, and another member of the United Libertarian Fellowship, **Will Barkley**, were convicted in federal court of tax evasion. Sentencing is scheduled for late September. They are planning to appeal their convictions. All three are members of the Libertarian Party of California.

A defense fund has been established to help defray legal expenses, now over \$60,000. Kathy and Will used attorneys appointed by the court during the trial, while Bill hired his own attorney. If you would like to help, please send checks or money orders payable to the Bill White Defense Fund, c/o Santa Clara Libertarian Party, 3249 Stevens Creek Blvd., suite 207, San Jose, CA 95117.

## California Libertarian News

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