

10 November 2021

From: Jess McVay

To: Susan Hogarth

Dear Susan:

My name is Jess McVay. I don't think we have met before but I believe you are acquainted with my wife and son, Mary Pat and Will. I am not directly involved in this recent dispute over who rightfully controls the State Board of Delaware and its assets, but as you might imagine, sharing a last name with two of the principals and opposing their actions in the strongest possible terms, I feel compelled to write. A more conventional letter might start by lamenting how much it pains me to involve myself in this matter in light of the family relationships involved, but I must confess that at this moment, I do not feel any such pain. I am Will's dad. I love my son, but I hate what he did. As for the pain, I fully anticipate that some day in the not too distant future, I will feel the full weight of that burden. But as for now, there is an urgent problem in Delaware that must be addressed. There will be time for family considerations later. In the meantime, I am trying, though occasionally failing, to temper my actions, in anticipation of the difficulties my position may introduce into these relationships. Principles must be defended, often at great cost, and sometimes even when it involves conflict with family.

I wish to express my outrage at the travesty that is unfolding in Delaware and demand action from the Libertarian National Committee. Some bad actors in Delaware, led by my son, are perverting justice, robbing Delaware Libertarians of their rights, and embarrassing Libertarians all over the country, not just in Delaware. One of my earliest reactions upon learning of what was happening was that somewhere in America, James Weeks is dancing again. When our ideological adversaries want to argue how ridiculous we are as a political force, they will no longer invoke the name of James Weeks. From now on, Will McVay will be the poster child for their derision. Great news for Mr Weeks, and perhaps, contrary to what you might expect, great news for Will as well. Will likes attention. For those on the Libertarian National Committee who have a responsibility to preserve the reputation of the Libertarian Party, this incident poses both an obstacle and an opportunity. I think the reason it's an obstacle is obvious. It would take too much time and sidetrack the purpose of this letter to recount the myriad of injuries that Will has visited upon the party, its image, and its Delaware membership, a few specific members in particular. I'll leave it to the principals in this matter to make that case. They have been working diligently to assemble the evidence that will inform the jury, so to speak, and compel them to act in favor of Chairman Hinds and his Board. My goal with this letter is to persuade the Committee that it has an opportunity, and more importantly, an urgent responsibility to see justice done, restore integrity in Delaware, and not incidentally in the process, to protect the Party's image throughout the nation. In the process it must also censure those who have demonstrated such contempt for both justice and integrity and who, with a casual disregard for the optics of their actions, have seriously jeopardized the Party's reputation.

So who the hell am I, and why should the LNC care? I am one of the nation's small L libertarians, and I am watching. To be honest, I am presently one of the nation's less committed libertarians, at least these days. I used to be more committed. I've been an active member of the Party in Delaware since roughly 2010. Over the years I've helped directly with campaigns, actively raised and contributed money, and held positions on the State Board. I've been a delegate to national conventions, helped plan

state conventions, and I even represented the Party as a candidate for governor several years ago. But lately I have become disillusioned. I was uninspired by the Party's 2020 candidate and more recently, I was disappointed by the Party's tepid response to COVID policy and social media censorship. It would be no exaggeration to say that I felt as politically homeless inside the Libertarian Party as I had felt outside it prior to 2010. Currently, I am a registered Libertarian once again, but I am not confident that I will remain one indefinitely. I have many friends in the party, but I'm not convinced the Libertarian Party is the answer to promoting liberty in America. Delaware is the bluest of blue states, and the LPD's success in Delaware consists of little else beyond showing the flag. The National LP seems distant, impotent, and more and more irrelevant to me with every passing day. And yet, despite all this, I came back. I'm back, but I'm not sure how long I'll be staying. I'm just like thousands and thousands of other big L Libertarians and small L libertarians across the nation, and we are watching.

In making any future decisions whether to stay or go, I do know how I will judge the Party going forward. A clue resides in the Pinned Tweet that I placed on my Twitter feed way back in February 2021, long before all this business happened. It's a brief reflection. Not borrowed from anyone else, but my own composition.

Not Victory

Not Wealth

Not Love

Not Peace

Oddly enough, not even Liberty

**#Justice**

Justice was important to me then. Justice is important to me now. The search for Justice is the only reason I am bothering to write this letter. I'm writing because there are victims of injustice, not because those victims happen to belong to the Mises Caucus. Most victims of injustice are far removed from the world I live in. I am often helpless to assist them. But these Delaware victims are close to home, and they are friends of mine. The fact that my family members are responsible for their victimization imposes an even greater duty on me to support them. My reasons have very little to do with the Libertarian Party of Delaware. Despite a long association with the LPD, I'm not enthusiastic about their prospects for political success. And my reasons are certainly not about the National LP. They are just a means to an end. They are the one institution that has it in their power to see justice done if they're up to the task that is. If they're even willing to try. I'm not sure I'll be sticking around the Libertarian Party after this go round. At this point, it's kind of up to the party to prove they're worthy of my support. If this was a job interview, I'd be the one asking the questions to see if we're a good fit, not the other way around. I can tell you one thing with certainty. I say this dispassionately and with no anger and no malice. If the LP can't fix this, the Party is dead to me. As I said before, I am watching. Big L and small L libertarians just like me all over the country are watching.

I am not a member of the Mises Caucus, but I have many friends within that group, some old, and some new. My son will state in public and occasionally for the podcast cameras that the coup he initiated, though he won't call it a coup, has nothing to do with the Mises Caucus. He'll claim it has to do with obstruction and gridlock on the Board, with misunderstandings about Board members' affiliations, and

about protecting the social media image of the Delaware Party. But he'll insist it has nothing to do with the Mises Caucus. That's simply not true. I am Williams father. I am greatly saddened and a bit perplexed by his recent actions, but I can tell you one thing with certainty. This is absolutely about the Mises Caucus. I don't think that factionalism within a state board is a bad thing, and even if it is, it's a normal thing. For the past decade or so, the Delaware Board did not know factionalism. They were a close knit group of like minded friends with the common goal of more Liberty. In 2021, that changed. It became more factional, just like hundreds of other political party boards all over the country. The goal was still Liberty, but now there were different views on how best to pursue it. Normal boards develop ways to deal with factionalism. Indeed, why would boards resort to formats like Robert's Rules if not as an acknowledgment that factionalism exists, and it can be dealt with reasonably. There are ways to coexist with fellow Libertarians who may not agree with you on everything. You approach them with good faith and an open mind. You don't murder them while they sleep.

A week or so after all this started I called Will. I figured that despite my anger over what he'd done, I owed him a rational conversation on the subject. I tried to talk him off this ledge he was on. I focused on things like ethics and integrity, and most of all on Justice. He listened patiently to my arguments. I hoped I was getting through to him. I began to speculate on possible outcomes and whether any of the party leadership would permit him to continue an active role after what he'd done. I doubted it, and I told him so. When I was done he responded. He wasn't going to quit. He asked me why I ever thought he would. He said he thought he could win. Naturally, his response disappointed me. It reminded me of the story of Stalin's response to a French diplomat who suggested that Stalin stop his persecution of Russian Catholics. Stalin asked the diplomat how many divisions the Pope had. This wasn't about ethics to Will. This was about power. At that point the phone conversation ended. In the days that followed, Will seems to have become even more determined to persist. Two nights ago, gloating and surrounded by a few of his supporters and co-conspirators, he declared to me, confidently, assertively, and arrogantly, that it was already over. He had already won. I hope he is wrong. Delaware needs the LNC's help to make it so.

As normal and reasonable as factionalism is on a State Board, there is no place for politics in the adjudication of this dispute. I worry that the LNC will deal with this as a political matter rather than a judicial one. I'm afraid that the factional affiliations of the Committee members will override whatever commitment they may have to defending our reputation as the Party of Principle. But my concerns notwithstanding, this is the venue in which this portion of the dispute must be resolved. I feel I must emphasize that any and all decisions and judgments that are made must be made on the basis of ethical and procedural considerations, and those decisions must be seen to have been made free of political or factional influences or interventions. I have expressed concerns on my social media pages about the ability of the LNC to take the politics out of this issue and resolve it on its merits. The Committee's recent performance in New Hampshire does not exactly inspire confidence, and as I've already stated, (Cue broken record) Libertarians will be watching.

High minded values like Justice aside for a moment, there are some other more mundane, more pedestrian, more political, reasons to fix this problem quickly. Many in the media don't care about Libertarians, but what if the media chose to tell this story. What if, for instance, comedian and popular podcaster Dave Smith chose to highlight it? What if that brought it to the attention of outlets like Reason Magazine or Kennedy Nation? What if on some slow news day in the future, Tucker Carlson or Lester Holt ran the story to ridicule the Party and fill a five minute news segment or two? How does the LNC want that story to end? "This crazy stuff happened, and the LP did nothing except let it fester", or "The LP acted swiftly and fixed the problem." If this burlesque show performance in Delaware is allowed to succeed, we will see repeats of these destructive and distracting sideshows.

Indeed, some would suggest that this episode is not the first, but is itself the repeat. The circumstances strangely resemble those in New Hampshire several months ago. This is a pretty good example of “History does not repeat, but it rhymes.” It's almost as if there was some larger organized plan afoot that is bigger than just Will McVay. If anyone is concerned about the Party's image or even the Party's survival, that should be terrifying. Libertarians are watching. Soon, the whole nation could be watching.

I have always been told that if you're trying to persuade someone to do something, don't neglect at some point to directly ask them to do it. Candidates might spend twenty minutes on a stump speech giving the voters all the reasons in the world why they should put their trust in that candidate and then never actually ask them for their vote.

I won't make that mistake. Here's what I'm asking for:

I'm asking the Committee to recognize that Bill Hinds is the rightful Chairman of the Libertarian Party of Delaware. He was duly elected to that position by a majority of those present at the State Convention in June 2021.

I'm asking the Committee to recognize that Amy LePore is the rightful Vice Chairman of the Libertarian Party of Delaware. She was duly elected to that position by a majority of those present at the State Convention in June 2021.

I'm asking the Committee to recognize that Dave Casey may be an asshole, but he's our asshole, and he is also a rightful Representative to the State Board from Newcastle County. He was duly elected by the members of the Newcastle County Libertarian Party to represent them on the State Board.

I'm asking the Committee to recognize that Dylan Griffith is a rightful Representative to the State Board from Newcastle County. He was duly elected by the members of the Newcastle County Libertarian Party to represent them on the State Board.

I'm asking the Committee to declare that none of the actions undertaken by Will McVay or any of his proxies from 1 October 2021 to the present are recognized by the National LP because they did not have proper recognized authority to perform those actions. This includes but is not limited to the Discord meeting held on 1 October and the Zoom call held on 31 October. Their actions are all declared invalid. This includes, but is not limited to all changes to By-laws or Articles of Association, all member and officer expulsions, all Board appointments made during this time period, all County Party disaffiliations, the de-credentialling of all 2161 (as of 1 November 2021) Delaware Libertarians as eligible voting party members, all the selective member re-credentialling, especially those of Will's co-conspirators and allies, all appointments of County level officers and State Board Representatives, the assignment of administrator privileges of all State and County level electronic assets, to Will McVay, and the vetoing of any county level resolutions by the illegitimate State Board, in particular those passed in Kent County where Will is County Chair where Will was rebuked and an investigation of his actions called for. Further, the Committee should state publicly and unequivocally that the basis for these decisions is judicial and procedural.

I'm asking the Committee to censure Will McVay for his recent actions. Further, the Committee should state publicly and unequivocally that the basis for this censure is the Committee's determination that his actions were grotesquely unethical and that they showed utter disregard of the Party's reputation and its commitment to remaining the Party of Principle. Further, that Will McVay, as part of this censure,

shall not be credentialed as a delegate to the 2022 LP convention from Delaware or any other state.

I'm asking the Committee to give serious consideration to expanding that censure to other members of Mr. McVay's cabal whose behavior you determine warrants such censure.

I'm asking the Committee to declare that should any dispute arise in regard to credentialing delegates to the LP National Convention in 2022, the Committee commits to recognizing the delegates endorsed by the duly elected State Board of the LPD as constituted in accordance with the above requested Committee actions and currently Chaired by Mr. Hinds.

I'm asking the Committee to commit to assisting the duly elected State Board in their efforts to recover their ballot access in Delaware.

I'm asking the Committee to commit to assisting the duly elected State Board in their efforts to recover access to their social media accounts to include, at the very least, directing all traffic initiated through the National Libertarian Party site to the appropriate sites of the duly elected State Board of Delaware.

**In conclusion:**

They say there are two sides to every story. That's true here too.

One side is pursuing justice.

That side has right on their side, and they can show you all the receipts

That side has acted ethically and with integrity

The other side just wants to win.

Thank you Susan.

Feel free to contact me if there are any questions via any of the various venues listed above.  
Please help us Obiwan...

Yours in Liberty,

Jess McVay