



California

--Volume 7, Number 5 -- August 1992

Libertarian News

LOOK WHAT FELL OFF THE TURNIP TRUCK



Simi Valley Council Member Sandi Webb brings her message to Sacramento in style.

On June 24 Libertarian Simi Valley Council Member **Sandi Webb** and Ventura County LP Chair **Aaron Starr** drove a truckload of turnips from Simi Valley to Sacramento to protest the state's planned back door tax increase on local communities.

Due to the \$10.7 billion projected deficit in California's budget, both the governor and the Legislature have been searching for new revenue sources in order to avoid serious spending cuts. The Legislature has proposed raising taxes and rolling over the deficit to a future budget. Gov. Wilson recalls how unpopular last year's tax hike was and wants to avoid the same mistake twice. He also

hesitates to cut spending very much since he might upset the special interests who helped put him in office.

Instead our state leaders are planning to take back money that they now earmark for county and city governments, and give those bodies the authority to raise local taxes instead. Then local officials rather than the Sacramento variety would be blamed for the tax hikes. Unfortunately, local governments are mandated by the state and federal governments to fund many programs, under pain of huge penalties.

Sandi Webb's message to Sacramento was twofold: First, that Californians did not just fall off the turnip truck. They will not be fooled by a back door tax hike. And second, you can't get blood out of turnip, and you can't wring more money out of taxpayers who have already been bled dry.

Aaron Starr helped put the project together in just

cont. on Page 3 -- See "Turnip"

GENIS TO TOUR SOUTHLAND

Libertarian U. S. Senate candidate **June Genis** will make a campaign swing through Southern California from August 10-13. Look for events in your area. She will be in San Diego August 10 (contact Pat Wright at 619-497-1085); Orange County August 11 (contact Brian Schar at 714-840-6833); Riverside August 12 (contact John Farr at 714-369-8843); and Los Angeles August 13 (contact Ted Brown at 818-568-8404).

Genis is running against Democrat **Barbara Boxer**, who is on record for proposing more new federal spending than any current member of Congress (\$406 billion), and Republican **Bruce Herschensohn**, a very conservative TV commentator. Libertarian Genis is hoping to pick up a number of pro-choice and anti-interventionist Republican votes due to Herschensohn's surprise primary victory.

If you have any suggestions about possible media interviews or public appearances for June Genis during this trip, please call one of the contact people listed above. To contribute to the Genis campaign, write to 111 La Honda Rd., Woodside, CA 94062, or phone (415)851-5224.

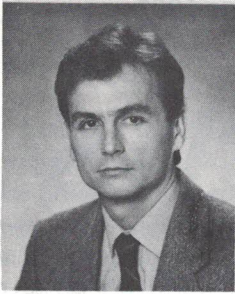
LIBERTARIANS FIGHT CITY HALL IN SAN JOSE -- & WIN!

by Dave Thomas

On June 3 Santa Clara County Libertarians woke up to GIANT headlines that read "Big Stadium Defeat." San Jose's Measure G, a 30-year \$500 million utility tax to build a Giants baseball stadium, had been defeated. Thanks to the hard work of Santa Clara LP members **Glen Maggiola**, **Dante DeAmicis**, **Alan Rice**, **Vicki Hargrove**, **Dave Thomas** and **Bob Goodwyn**, in conjunction with the grass-roots organization "Citizens Against Stadium Taxes," the measure lost 55% to 45%, a much wider margin than expected, with just a majority needed to pass.

While many realized that Measure G was a bad deal

cont. on Page 3 -- See "Fight"



FROM THE CHAIR

Pat Wright

I prefer to use this column to tell our members what the current status of the LPC is, and not to proselytize or restate the obvious. The current status of the LPC is a mixed bag.

Membership has been between 3,800 and 3,950 since the last state convention in February. Our money problems are serious. We've spent about \$12,000 during the last two months paying for Libertarian voter registrations in a "bounty" program that I very much disapprove of. I understand that we're in the same condition as the state government, having to pay our bills with IOU's. (I have since gone against the vote of the LPC Executive Committee and cancelled this program --

read about my impeachment in the next issue.)

But we should remain hopeful. Our goal is 6,000 dues paid members by February 1993 and it's time to make that happen.

We've sent out about 15,000 membership applications this month. Most local chapters of the LPC have agreed to help pay the cost of future mailings so that the state party can accelerate the program. I am hoping we can mail all the registered Libertarians in September (except in the four regions who don't wish to participate) ballot issue recommendations and membership applications. The money is coming in more quickly now -- but it's been going out even faster. Hopefully that has changed and we are catching up.

We also have to plan for the few months prior to the election and how to take advantage of public interest in the Libertarian Party. A statement from all the political parties is tentatively scheduled to appear in the voter's handbook, which should really get things hopping at our 800 number as it did in 1988 and 1990.

The bottom line is that we've done a lot, learned a lot, and should be ready to experience another burst of growth. Let's do it!

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DIAL UP SAVINGS FOR YOU AND THE CALIFORNIA L P

In June we inserted a flyer in this newsletter regarding the Libertarian Party of California's new long distance telephone "affinity" program through Execuline. By signing up for Execuline instead of your current long distance carrier, you can save up to 40% on your residential/business long distance charges. As a bonus, Execuline will contribute 6% of your monthly bill to the Libertarian Party of California.

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To take advantage of this tremendous opportunity, send your name, address and phone number to Libertarian Party of California, 655 Lewelling Blvd., Suite 362, San Leandro, CA 94579 and you will receive an application form.

by Bob Thaves

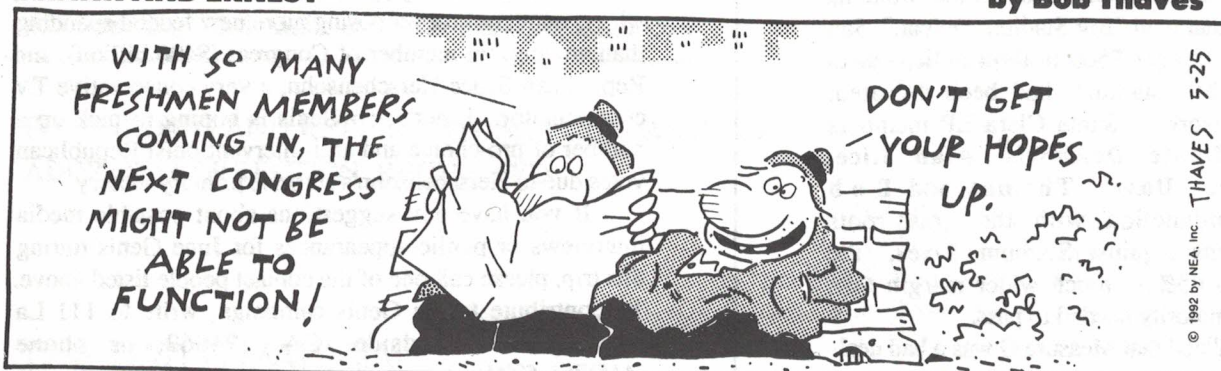
STATE PARTY UPDATE

The Libertarian Party of California's quarterly State Executive Committee Meeting will be held Saturday, August 8, at the South Bay LP Office, 3381 Atlantic Blvd., in Long Beach. For agenda, contact Ray Acosta at (213)727-5979.

Jerry Collette, chairman of the Convention Oversight Committee, is soliciting bids for the 1994 LPC State Convention. To submit proposals, contact Jerry at 15303 Ventura Blvd., 9th floor, Sherman Oaks, CA 91403, phone (818)909-9445.

The LPC has suspended the bounty program for Libertarian voter registrations due to lack of funds. There will be no payments for registrations until further notice. For information, call Jerry Douglas at (818)225-1776.

FRANK AND ERNEST



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Robert Smiley, Jr.



"Fight" -- cont. from Pg. 1

from the start, our campaign against the tax undoubtedly convinced a lot of "on the fence" voters, perhaps enough to sway the election. Comparing our \$13,000 war chest with the proponents' \$1.1 million in contributions from special interests along with \$1.04 million spent in taxpayers' dollars and the dedicated efforts of the San Jose mayor and city council, the media declared us "giant killers" in a David vs. Goliath campaign!

The proponents of Measure G used high-priced campaign consultants, a glossy direct mail blitz, TV advertising, and expensive media events. We beat the odds with door-to-door precinct walking, lots of signs, letters to the editor, and free media opportunities, all combined with much dedication and hard work. The results were truly amazing and gratifying, and a real accomplishment for all who participated.

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LIBERTARIAN ARGUMENT TO APPEAR IN BALLOT PAMPHLET

Voters in November will face a wide variety of ballot propositions. One is Proposition 155, a \$900 million school bond issue. This is quite similar to Proposition 152, the \$1.9 billion school bond voters unwisely adopted June 2.

CL News editor **Ted Brown** and Libertarian U. S. Senate candidates **June Genis** and **Richard Boddie** successfully submitted an argument against this measure. While proponents argue that new school buildings are needed and that the measure will create jobs, Libertarians counter that half the state budget is already spent for education. If some of the unnecessary school administrators and other bureaucrats were fired, there would be plenty of money to build schools. However, Libertarians argue there would be no need for new public schools if parents were given choice through either tuition tax credits or vouchers.

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BAY AREA LIBERTARIANS MARCH IN GAY FREEDOM DAY PARADE

For the second consecutive year, San Francisco Bay Area Libertarians made a visible presence in the Gay and Lesbian Freedom Day Parade on June 28. **Mark Valverde, George Meyer, Glenn Cripe and John Whisman** organized the party's outreach. A Libertarian contingent of about 30 people marched in the parade from the Embarcadero to the Civic Center plaza, where festivities continued until early evening.

Among the hundreds of thousands of attendees were a sizable group of libertarians manning a booth sponsored by the San Francisco LP. The party's booth was somehow awarded the most desirable location in the plaza. With the "World's Smallest Political Quiz" displayed at each end of the twenty-foot booth, more than twenty volunteers helped get out the Libertarian message to thousands of people. The International Society for Individual Liberty (ISIL), which is headquartered in San Francisco, generously provided Libertarian literature to distribute to interested parade-goers.

"Our presence shows gay and lesbian people that there is an alternative to the Democratic Party when it comes to defending civil liberties," said George Meyer, past national coordinator of Libertarians for Gay and Lesbian Concerns (LGLC). Among those marching and manning the booth were LP congressional candidates **James Elwood** and **George O'Brien**, Assembly candidates **Mark Valverde** and **Mark Sherwood**, and U. S. Senate candidate **June Genis**.

San Francisco promises to be a hotbed of Libertarian activity this year, since the SFLP is running a full slate of federal and state candidates, as well as candidates in local races. If you live in the Bay Area and would like to assist with this major election effort, call (415)905-6397.

"Turnip" -- cont. from Pg. 1

one week. A ton of turnips was purchased and shipped down from Oregon (they're out of season in California). A truck was borrowed. Banners were made. News releases were written and faxed to all media outlets in California. Even the *Los Angeles Times* ran a large Page 3 story.

Webb gave interviews to newspapers and talk radio shows. She contacted the California League of Cities, which supported the protest, along with mayors and council members throughout the state.

A stop in Bakersfield drew a large and enthusiastic crowd. Another crowd greeted the truck in Sacramento on the steps of the capitol building. Webb and her supporters then marched into the governor's office, where they dumped over 200 pounds of turnips. (The other 1,800 pounds were later donated to food bank charities.)

The protest resulted in a tremendous amount of publicity. TV stations around the state carried it on their news broadcasts, as did radios and newspapers. It's too soon to tell whether any minds were changed, but the publicity means that it will be a bit harder for the state government to play accounting tricks and still pretend they're not socking it to the taxpayers.

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

Jurors, Stick with FLJA

Editor:

Regarding the attempt to cite Jerry Douglas for contempt of court for informing fellow jurors of their power to judge the justice of the law (July *CL News*): The California penal code, section 1126, states that "the jury have the power to find a general verdict, which includes questions of law as well as of fact." That the judge did not follow through on her contempt threat may be due to her belatedly having become fully informed of this legitimate jury power.

The confusion over the jury's legal power may come from the same statute, that the jury is "bound, nevertheless, to receive as law what is laid down by the court." To "receive" means to take into the jury's possession and control. Jurors may thus "accept" the law from judges and lawyers -- and then go beyond it. To convict, you must find the defendant "guilty to a moral certainty." That is, you must believe the person did something "wrong" rather than to just technically violate the law.

The U. S. 4th District Court of Appeals, in *U. S. vs. Moylan* (1968), ruled that the jury has the right to acquit even if the verdict is contrary to the law as given by the judge, and the courts must abide by that decision.

While any Libertarian is justified in preserving his or her liberty by apologizing to the judge, as Jerry Douglas did, there is no legal reason for anyone to apologize for informing jurors of their legal power. Cover your ass, but don't be intimidated by agents of the State.

Randall Grindle
Lower Lake, CA

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Death Penalty Dispute

Editor:

You took a full page in the June *CL News* to bash the death penalty. I'm sorry you got cold chills when cold-blooded killer Robert Alton Harris was executed at San Quentin. However, the boys he killed got much worse.

Did you know that Harris and two other thugs raped a young male, while Harris was already in jail appealing to the governor to spare his life?

Capital punishment is very serious business; however, some deserve that fate. A person in prison for life can, and often does, rape, maim or even kill other prisoners. That's injustice.

Russ von Hoelscher
San Diego, CA

(The Editor responds: I have no doubt that Harris was an evil killer. My point in the editorial was that the state does not have the right to kill people. Other executed prisoners, such as as Virginia's Roger Coleman, may not have been guilty. There is no way to reverse the death sentence of an innocent person.)

LIBERTARIAN NOTES

* Libertarian **Gene Burns** has now syndicated his talk radio show and can now be heard weekdays from 1-3 p.m. on KGIL (AM 1260) in Los Angeles. Burns has been enlightening the New England political scene for years, and in 1984 almost became the Libertarian Party's presidential candidate.

* Sacramento Libertarian **Jim Brausch** has started a new publication known as "LibertyDEBATE." It's a forum where libertarians, constitutionalists, limited government advocates and others will be able to voice their opinions and engage in debate on social or political issues. The format will evolve as it goes along. The newsletter will be open, with all viewpoints welcome. Paid subscribers are guaranteed publication of their views, up to 250 words per month. Subscriptions are \$20 per year for 12 issues. Contact "LibertyDEBATE" c/o Jim Brausch, 2330 Church Ave. #1, Sacramento, CA 95821, phone (916)971-1776.

* **Gonzalo Leon** has founded the Libertarian Society Development Committee, an organization dedicated to setting up a Libertarian community. He is setting up a data bank of libertarians who can recommend particular existing communities, or those who wish to move from their present locations. Their newsletter, *Libertarian Society Review*, is available for \$10 (4 issues) from Leon, Stewart, DuPriest Corp., 631-C Harden St., Columbia, SC 29205.

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ASSEMBLY CANDIDATE STRUTS HER STUFF



LP Assembly Candidate Vicki Vallis stands ready to rewrite the campaign strategy book.

Libertarian Vicki Vallis has been causing quite a stir in her race for the 3rd State Assembly District seat in the Lake Tahoe area of Northern California. Vallis, a 35-year-old teacher and writer from Truckee, has received publicity for her "let it all hang out" campaign by appearing on "A Current Affair," "The Maury Povich Show," and "The Montel Williams Show." Her claim to fame: She has been a Marilyn Monroe impersonator and campaigns in revealing and exotic outfits.

Vallis is a gossip columnist for *North Tahoe-Truckee Week Magazine* and holds an M.S. degree from the University of Nevada at Reno. She was discovered during a candidate search by Nevada County LP chair Gary Dusseljee. She registered Libertarian several years ago after following the campaign of Norma Jean Almodovar, the 1986 LP candidate for Lt. Governor. Almodovar is well-known for her exploits as a traffic cop-turned-call girl. Vallis was impressed and calls Almodovar a "gutsy lady."

The Republican candidate is Bernie Richter, a

well-funded conservative, and the Democrat is Lon Hatamiya, a farmer. The party registration is very marginal, so Vallis could have a notable effect on the outcome of the race in this open district. She appeared in fifteen candidates' debates before the primary and received mixed coverage from the media. Her major issues are ending the War on Drugs and government waste, and taking back our lives from the power brokers who are running the country.

Vallis was shown campaigning on the nationally syndicated "A Current Affair," after which women who received her flyer complained that the candidate's flamboyance may set back the women's movement. They pointed out that most women candidates campaign in sedate business outfits. The same show saw Vallis emerging from a steaming jacuzzi in her bikini. She has won a number of bikini competitions.

The candidate intends to reveal all as the centerfold in the December issue of Hustler's "Busty Beauties" magazine (circulation 250,000) which will hit the newsstands October 15. The issue will contain a full interview where the candidate has a chance to discuss her views. Vallis strongly believes in gaining publicity, and this appearance should gain her plenty. The CBS and ABC affiliates in Sacramento have covered the story, as has CNN's national news.

Other campaign highlights include a documentary film being made about Vallis by two Redding filmmakers, and the soon-to-be-produced country and western song, "The Buxom Blonde From Truckee," which should hit the airwaves next month.

For more information or to contribute to the Vallis campaign, write to P.O. Box 10176, Truckee, CA 96162.

Upcoming Events

* Andre Marrou Visit: **September 9-23.** More details in next month's newsletter. Our presidential nominee is tentatively scheduled to appear in San Diego Sept. 9, Los Angeles Sept. 11, Fresno Sept. 14, Sacramento Sept. 15, San Francisco Sept. 16 & 18, San Jose Sept. 17, and Redding Sept. 21. For more information, call (202)546-6095.

* FIJA Annual Convention: **Sept. 18-20.** The Fully Informed Jury Association will meet at the LeBaron Hotel in Dallas, Texas, to promote the rights of juries to judge the law as well as the facts of a case. For more information, contact FIJA, P. O. Box 59, Helmsville, MT 59843, (406)793-5550.

* ISIL Caribbean Cruise Convention: **December 4-7.** The International Society for Individual Liberty will host a convention at sea -- "Liberty and Community," featuring speakers **Richard Boddie, Mary Ruwart, Jarret Wollstein, and Bruce Evoy.** Packages start at \$495, including airfare. Contact ISIL, 1800 Market St., San Francisco, CA 94102, (415)864-0952.



COURT-SANCTIONED KIDNAP- PING: A NEW TREND?

George Bush (July 10, 1992): Manuel Noriega's 40-year prison term is "a fitting punishment for drug crimes that have harmed all Americans ... It demonstrates that international drug felons are not above the law - no matter how great their wealth, their status or their armed might." The U. S. invasion of Panama in December 1989 "led to the conviction and just punishment of an unrepentant criminal. For that, Americans, and our allies abroad, have reason to be proud."

Saddam Hussein (speaking in the not-too-distant future?): George Bush's 40-year prison term is "a fitting punishment for war crimes that have harmed all Iraqis... It demonstrates that international imperialist warmongers are not above the law -- no matter how great their wealth, their status or their armed might." The Iraqi invasion of the U. S. "led to the conviction and just punishment of an unrepentant criminal. For that, Iraqis, and our Arab allies, have reason to be proud."

The above is not meant to advocate an Iraqi invasion of the U. S., but merely to show how idiotic (and hypocritical) Bush's invasion of Panama was. Though named "Operation Just Cause," it was anything but. The U. S. government had no business interfering in the internal affairs of Panama. More importantly, the U. S. had no right to enter a foreign country and seize its leader to stand trial here.

How would Bush like it if Saddam Hussein, or Muammar Qadhafi, or the current ayatollah of Iran sent some terrorists into Washington to seize him and spirit him to a foreign land for trial -- not for an offense against the laws of his own country, but against the laws of a country he has never lived in? Of course, it would mean total war. Unfortunately for the militarily inferior Panamanians, they could only sit back and watch U. S. troops invade their land and kill hundreds of people. Maybe Bush should start watching over his shoulder if he wants to use the kidnap method for bringing heads of state to "justice."

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FBI WANTS MORE WIRE- TAP ABILITY

An FBI proposal to update federal wiretapping law would require all public and private communication networks to have a built-in capability for intercepting a criminal suspect's communications. The proposal covers not only the telephone companies but also other "providers of electronic communications services, including private branch exchange operators."

Local-area networks, corporate wide-area networks, electronic bulletin boards and electronic mail services would all be covered by the broadly written proposal. William Bayse, head of the FBI's technical services division, said that the FBI needs the built-in wiretapping capability so it can conduct court-ordered intercepts regardless of the technology involved. He said that the FBI wants real-time remote access to all data, FAX, voice and video traffic in the United States.

FBI officials have complained that many businesses today can't provide such intercepts, so legislation is required to force changes in electronic networks to meet the needs of law enforcement agencies. They assert that some of their wiretap efforts have been thwarted by technologies such as call forwarding and speed dialing.

The proposal is opposed by the ACLU, the Electronic Frontier Foundation (EFF) and Computer Professionals for Social Responsibility (CPSR). Opposition is due to the privacy infringement involved, plus the fact that the communications industry would have to pay the price of compliance. Proposed penalties for non-compliance are \$10,000 per day.



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Libertarian Party of California

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Safety-Nazi Alert

Claiming that it will reduce highway deaths and injuries, Gov. Pete Wilson has signed a bill to allow police officers to stop and cite motorists solely for failing to use automobile seat belts. AB 338, sponsored by Assembly Speaker Willie Brown (D-San Francisco), goes into effect January 1. Failure to use a seat belt can result in a \$20 fine for a first offense and \$50 fine for subsequent offenses.

Current law requires law enforcement officers to cite motorists for seat belt violations only when they pull drivers over for other violations. Now the safety nazis will permit the police to stop even more motorists for reasons that are not valid. Of course, as in all traffic laws, government revenue is the main goal.

Surprisingly, the Assembly failed to pass SB 1878 by Senator Marian Bergeson (R-Newport Beach) to allow local governments to enact ordinances requiring the use of bicycle safety helmets for people 16 or younger.

Two excellent letters on the subject appeared in the *Los Angeles Times* July 12. Mark Alberici of Los Angeles wrote: "... (is) the state now playing the role of prudish nanny who refuses to let her charges out to play because they might get hurt? Why not require helmets for surfers, downhill skiers and skateboarders? (Don't give them any ideas, Mark! -- Ed.). The world is not injury-free and writing more legislation will never make it so. All that does is increase the state's oppression of personal lives. The seat belt, baby seat, motorcycle helmet and proposed bicycle laws must be abolished. Send Big Brother packing with all his laws (and helmets) and let people decide for themselves how to conduct their personal lives."

And Mark King of Redondo Beach wrote, "... Do you think that all death and injury can be legislated away? All the laws in the world cannot prevent people from getting injured or killed. If a person wishes to protect his or her children, that's wonderful, but don't involve the government. It's not the function of the government to raise the children of America."

DOES A JOINT IN THE ASHTRAY PUT YOUR HOUSE ON THE AUCTION BLOCK?

At the behest of the California Sheriffs Association, State Senator Ken Maddy (R-Fresno) has introduced SB 1705, which would make California's laws regarding forfeiture of property allegedly used to produce or sell drugs even more draconian than they already are.

The District Attorney could seize a person's property based on the affidavit of a single informant, even an arrested informant trying to make a deal with law enforcement! The person whose property is seized does not, of course, even have to be charged with a crime. The owner could lose his property and right to due process if he can't post a bond equal to 10% of the property's value pending appeal of the forfeiture. The bill would allow local police agencies to keep 85% of the property seized based on local drug investigations, and the prosecutor's office would receive 15%.

A whole property could be seized even if only tainted by a minimal amount of a controlled substance, e.g. a 1000-acre ranch could be seized for \$300 worth of drugs, or the owner of a mobile home park could lose all his property due to the drug activities of only one tenant.

Currently, the District Attorney can go back five years to determine if a property was used for drug activity. SB 1705 would change this to ten years. If the property where drug activity took place has been sold in the meantime, the proceeds from this sale could be traced and a newly purchased piece of property could be seized instead.

SB 1705 is an extremely dangerous threat to our liberties. Libertarians want to end the War on Drugs completely. The Democrats and Republicans want to fight to the bitter end -- and woe be it to those who stand in their way. Senator Maddy and his allies don't have a clue as to the meaning of the Constitution. Let's tell them about it. Write to your State Assembly Member or State Senator at State Capitol, Sacramento, CA 95814.



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