

# Santa Clara Libertarian

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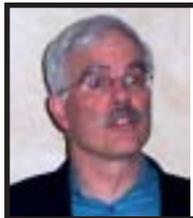
News Of Local Libertarians' Struggle For Freedom



## **ANTI-TAX BALLOT ARGUMENTS GET EXPOSURE AND CONTACTS FOR LPSCC**

*Use Of No On Web Site And Offers From Voters Show Various Benefits Can Result*

Reported by Marv Rudin



Ray Strong gets attention for LP by leading ballot args

In May it was demonstrated during the campaigning for the June 3rd special election that not only do ballot arguments provide very cost-effective publicity for the LP, but they also engender opportunities for coalition building.

As a result of being the lead signer on the four anti-tax ballot measure arguments signed mostly by Libertarians (see March SCL News, page 1), LPSCC Chair Ray Strong received letters from both a proponent offering help and an opponent, a Mt. View LTE referenced the LPSCC's VoteNOonE web site, 2002 City Council candidate Kuzsmaul felt compelled to say

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## **FRIENDS OF SUNNYVALE SUE CITY AND COUNTY!**

*They Deserve Support By Libertarians; Two of Three Of Their Initiatives Are Party Endorsed*

Reported by Marv Rudin

Not surprisingly the Friends of Sunnyvale have run into serious resistance by the city (see April 2003 SCL, page 4) to their initiative for a charter amendment vote which if successful could handcuff the city council from doing redevelopment or eminent domain private-to-private transfers without approval of the voters. Amazingly, the F of S were able to turn in enough signed petitions to get all three initiatives on the ballot. So apparently to forestall the vote, the city removed about 10% of the signed initiatives before forwarding them to the county Registrar of Voters, based on technicalities like the petitioners not entering "Sunnyvale" when giving their address.

The F of S is now leading a two pronged approach in June to overcoming the City Council's extremely high density redevelopment plan for Sunnyvale's downtown (The F of S say its comparable to one of the World Trade Center towers in density!):

(1) Get citizens out to lobby the City Council. Hearing at Sunnyvale CC: June 17, 2003 – The Sunnyvale City Council will hold a meeting to hear final public input and to take action on the recommendations for the Downtown Design Plan.

(2) Win a suit to get the court to force the government to accept that there were enough signed petitions to qualify for the ballot. Court Date: The trial date is set for June 23, 2003. For more information, or if you would like details to attend the trial, please contact [downtown@FriendsOfSunnyvale.org](mailto:downtown@FriendsOfSunnyvale.org) or call 408.732.8839.

For full information on both campaigns visit <http://www.melinda.org/fos/>.

Readers living in Sunnyvale may want to attend the proceeding at City Hall and courthouse to at least give moral support to the two initiatives which are Libertarian in principle: (a) No eminent domain transfers forcing one private party off a property to enable the government to offer it to another private party (usually on favorable terms guaranteed by taxpayers); (b) No Redevelopment Agency plans to go into effect without approval by the taxpayers (who are liable for losses if the plan fails).

The F of S motive is partly non Libertarian - foster "Smart Growth" and prevent high density. But in view of the interference with the free market of Sunnyvale's redevelopment agency (RDA) plans, taxpayer liability for losses, and the use of eminent domain (ED) to force owners from their property, the RDA and ED initiatives coincide with LP positions and give Libertarians an opportunity for coalition building in Sunnyvale. And these are believed to be the best local Libertarian issues because so many voters are seriously interested in property rights that affect property values and quality of life.

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(Ballot Arguments Get Exposure - Continued from page 1)

he was a Libertarian who differed from the party position (bad, but still valuable in publicizing the L-word), and Strong was able to write a piece against A to an Almaden Community, as an official authority on the subject, being an author of the ballot argument.

### MEASURE A SAN JOSE UNIFIED SCHOOL DISTRICT

Ray Strong was invited and wrote this argument to counter a pro argument in the Almaden Valley Community Association (AVCA) Parcel Tax Position Reports

An Argument Against Measure A  
Ray Strong, AVCA Secretary

We all want good schools in our community. That's why so many vote year, after year, for every increase requested by the San Jose Unified School District. But in order to regain some level of local influence on the SJUSD priorities, we must change the pattern. There couldn't be a better time to vote No.

Measure A adds \$98 to each property tax bill, including that of neighbors who are laid off and unable to find work. One of my neighbors has owned a home in the Almaden Valley for over 20 years and has been out of work for a year and a half.

With over 8% unemployment in San Jose, my neighbor is not alone. Most voters don't realize how bad things have gotten for a few of us. Suggesting my neighbor apply for some kind of hardship waiver is like suggesting SJUSD write a grant to cover the current shortfall. It's wrong to force my neighbor to pay for Sacramento's mistakes; but that's what Measure A does.

The pattern of budget surprises coming from Sacramento suggests that we haven't seen the worst. The \$6 million band aid provided by Measure A may disappear when Sacramento tries to "balance the load across all districts." This is no way to run a school system or a state. We should insist that our elected representatives fix the problem by removing unfunded mandates from our schools and by changing California's business-

unfriendly, tax-heavy climate.

Measure A is written with something for everyone but no promise about priorities or citizen's oversight committee. It calls for bringing back programs retired in the 1980's for lack of funds. It calls for increasing some teacher salaries. And it calls for maintaining small class sizes. There is no way \$6 million will pay for all programs promised. Please ask SJUSD to tighten its belt during this budget crisis and manage for educational results instead of ballot victories. Vote NO on A.

For more information, see <http://www.VoteNoOnA.org> and read the arguments that were mailed with the sample ballot.

### MEASURE B CAMPBELL UNION SCHOOL DISTRICT

Robert Kolar, an MBA student at Santa Clara University volunteering to help on the No On B campaign, wrote Ray Strong with the following observation of wasteful practices by the Campbell schools administration:

"Ray, I want to help your group work against the passage of Measure B. I have been working with Dale Thurston, Asst Superintendent, at CUSD for about 6 months on some issues related to a Measure H funded project. He and CUSD have been totally disinterested in hearing the concerns of the community around Monroe Middle School and have basically ignored every one of our concerns. We collected 50 signatures in two days from residents on a petition to suggest specific changes to their plans and they again ignored the neighborhoods concerns. Even though taxpayer are being assessed a Measure H fee on property taxes, they have been especially forthcoming in reminding me that "they are only accountable to the State" on these projects and that as long as Don Hebard's "Citizen Oversight Group" approve the category of expense, they don't have to take any community feedback. Measure H is poorly written and so is Measure B. My experience with CUSD has left me only to conclude that putting any more funds in their hands is only a waste of funds. Example: They are building over 150 parking spaces at a school that employs only 50 people. There is ample street parking in the event that extra spaces are needed but they insist on building parking in every conceivable place while they have the money. What a waste. Anyhow, I would like to join with you to oppose this measure. I'm willing to do whatever it takes

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**Santa Clara Libertarian**  
**Schedule of Publication to Year End**

COVERAGE PERIOD	FINAL EDIT	PUBLICATION
June Issue:	July 20th,	on web site July 22nd
July Issue:	August 17th,	on web site August 19th
August Issue:	September 14th,	printed & bulk mailed September 22nd
September Issue:	October 19th,	on web site October 21st
October Issue:	November 23rd,	on web site November 25th
November Issue:	December 13th,	printed & bulk mailed December 20th
December Issue	January 4th	on web site January 6th

(1) For regular notice at time of publication, say "SCL notice" to [rudin@lpty.org](mailto:rudin@lpty.org)  
(2) All 1998 to 2003 monthly issues are online at <http://www.lpty.org/sclnews/>

**(Ballot Arguments Get Exposure - Continued from page 2)**

including door to door or posting flyers. Do you have a plan on how you might fight this \$180 parcel tax? Ready and willing."

Ray wisely invited him to the May Excom meeting. He said he couldn't make it but would like to attend in future (Editors note: Maybe a spark if Libertarianism could emerge at SCU?). Kolar apparently was expecting that the LP would have an active leafletting campaign, so Ray then suggested:

"There are two ways you could help immediately in the fight against Measure B.

First, could you write an open letter about your experience with a lack of responsiveness to neighborhood concerns on the part of the board? This letter would be placed on the VoteNoOnB.org website along with the ballot arguments and generic arguments against this type of ballot measure. All specific details you can remember would be helpful.

Second, could you investigate whether school telephones are being used by the pro-B organization to call parents in the district? Apparently volunteers are being solicited to make pro-B phone calls in the district. It has been suggested that the rooms and phones used may be school phones. We don't know whether this allegation is true. It is a violation of California law for school facilities to be used to influence the outcome of an election. This includes telephones, copying machines, school rooms, offices, etc.

If a local neighborhood organization hands out a flier against Measure B, this could have some effect. Our experience is that we have more effect with web site materials for a much lower cost."

Ray reports that Kolar didn't respond to these suggestions, but clearly a link to a potential new Libertarian may have been established.

**MEASURE E MOUNTAIN VIEW-WHISMAN SCHOOL DISTRICT**

The Measure E campaign was very active on both sides because it was a new tax formula that would put a greater burden for school taxes on businesses and apartments. Our Libertarian ballot arguments positions

which were aligned with the Silicon Valley Taxpayers Association (SVTA), were therefore also aligned with business and apartment owners and managers in this fight.

The SVTA wrote: "The Tri-County Apartment Association has hired a campaign consultant by the name of Tab Berg to organize an opposition to Measure E. Jeffrey Dennison and Bob Hines of Tri County and asked if the SVTA could draft some statements on Measure E that they could incorporate into a letter to be used in an "absentee ballot chasing program".

If measure E passes, businesses will be hit with a hefty tax burden!!!! This new tax, a first of its kind, will levy a tax per square foot of property owned. > In this soft economy, the last thing business owners need is an additional cost of doing business."

Then they mentioned the LPSCC website: "There is also another website with information at [www.VoteNoOnE.org](http://www.VoteNoOnE.org)"

Mike Laursen also reported that the votenoone.org site got some notice in the campaign: "Here's a message someone just sent to my neighborhood e-mail list (the neighborhood is centered around Monta Loma Elementary School). Note that he ends by quoting from the votenoone.org site:"

(Editors note: this letter has been condensed to conserve space)

[Editor's note: 50% of letter deleted to conserve space]

"In the past I would always vote for any school issue on the ballot. I no longer do so when it comes to this district. Although I do believe that our children deserve a quality education, I do not believe that giving this organization more money will do that. I think they should start by reducing their administrative overhead by reducing administrators' and staff pay, other than teachers and low level support personnel.

**COMING EVENTS...**

**Central Committee Meetings:** July 10th Cocos Restaurant, Sunnyvale (Oakmead Parkway & Lawrence Expressway)  
October 10th (location yet to be decided)

**Executive Committee Meetings:** Normally 1st Saturday of month, 10:00am  
Usually at Rosegarden Library, Naglee & Dana Avenues, San Jose  
July 5th at Denny's in S.J. at 1140 Hillsdale Ave.

**Speakers Meetings:** 2nd Thursday in months without central committee meeting  
Cocos Restaurant, Sunnyvale (Oakmead Parkway & Lawrence Expressway)  
Next speakers meeting: *Thursday 8 August*. Come at 7pm for dinner, meeting at 8pm

# HINKLE ASKS LPSCC TO ENDORSE ANTI-PATRIOT ACT RESOLUTION

Reported by Marv Rudin

The March 2003 Santa Clara Libertarian had an article about the ACLU's campaign to get various local organizations to induce as many local legislative bodies as possible to endorse a resolution opposing the Patriot Act I and its expected sequel, Patriot Act II. In support of the state LP's coalition building program Mark Hinkle has been attending the local meetings of and become part of this ACLU campaign. The ACLU now has drafted the resolution to be pushed by the various local groups, and on May 14th Hinkle brought it to the LPSCC Excom, saying:



**Mark Hinkle  
asks for  
endorsement**

"I've been attending some meeting with a bunch of different people, representing a broad range of anti-war and anti-patriot act groups (it's being organized by the ACLU). I'm serving on a lobbying sub-committee that's seeking endorsements in support of the following resolution. The goal is to have the Santa Clara County Board of Supervisors to adopt the following resolution. To that end, they're looking for support from any group they can find. They want to show that a diverse group supports this. Democracy at work. So, I'd like the LPSCC ExCom to sign onto this project and support this resolution. Ray, would you officially submit this to the LPSCC ExCom as a mail ballot? Please let me know if you have any questions. In case anyone is interested, most of the folks I'm working with are socialists or left of there. < grin >

The motion failed, receiving just one vote (from Zander Collier), probably because of certain questionable content which Rudin and Strong objected to or questioned. Also Laursen said he saw no useful purpose in it.

**PROPOSED RESOLUTION FOR CONSIDERATION BY THE SANTA CLARA COUNTY BOARD OF SUPERVISORS** to Defend the Bill of Rights and Civil Liberties (Editor's note: to see full text click on <http://www.lpty.org/aclu-res> )

In response to Hinkle's proposal M.B. Rudin wrote "I would have difficulty voting in favor of an LPSCC resolution supporting the anti-Patriot-Act resolution formulated by the ACLU as presently worded because:

It contains "whereas" statements which (a) give specific minorities special consideration as victims (whatever it says should apply to all Americans); (b) Shows no concern for what might be needed to optimize government protection by detecting terrorist conspirators in the U.S. before they act; (c) Has irrelevant statements about the Japanese "incarceration" during WWII and deportation of Americans of Mexican descent with which I do not agree; (c) It ignores that the Constitution permits "reasonable" searches/seizures and suspension of habeas corpus in cases of invasion.\*

While I agree with asking the U.S. Attorney to disclose statistics on Patriot Act actions in SC County, and limited disclosure (to the county board) of the names of and charges against individuals held, I think the public safety benefit of profiling by interrogating and watching the most likely types of terrorist individuals far outweighs the nonexistent "Constitutional Privacy Rights" alleged by the resolution. So I would like to see these provisions removed or modified as follows:

- 1) The government can collect information about individuals it judges to be potential terrorists IF it is for protection of the public against violence or fraud, and its employees are subject to severe penalties for releasing said information to the general public or anyone or any organization without a need to know as established by a court hearing and issuance of a court order.
- 2) Provisions about the treatment of Arabs, Muslims, and South Asians under the act should be replaced by "Any resident of the U.S.". (It should be recognized, as an example that not just Muslims, but gun rights organizations are concerned about being put into the category of a "terrorist organization," thereby subjecting their members to losing their citizenships.)
- 3) No restriction on government agents attending religious, political, or other gatherings. (Gathering facts on what is being said at such gatherings is not oppression. If people want to say things they'd be ashamed of or that exhort attendees to violence in front of the public or of agents of the public, why should their privacy to do so be protected?)

\*In Article I, Section VIII the U.S. Constitution says "The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it." Foreign agents of terrorism plotting the destruction of large numbers of Americans could be considered a form of "invasion" that would suspend Habeas Corpus. This would justify holding such individuals without normal due process."

In response to Hinkle's proposal, Mike Laursen wrote: "To me, the big question is: If the Board of Supervisors passed this, would there be any "teeth" behind it? For example, if a County Sheriff refused to cooperate with some Federal investigation, would the Board of Supervisors stand behind him? My guess is that if they are pressured into making this resolution, they won't back up it up with any action if push comes to shove."

In response to Hinkle's proposal Ray Strong wrote: "I have some questions about parts of the resolution

The word "threaten" is very vague. I would like to see (not necessarily in the resolution but as background material accompanying it) the specific language in the Patriot Act that is deemed to "threaten" each of these rights from the Bill of Rights (plus the California Constitutional right to privacy). The case needs to be made explicitly, not just alleged. Otherwise there is no point to issuing such a resolution — it will be totally ignored.

The resolution says the Act threatens the civil rights and civil liberties of Santa Clara County residents, and particularly affects those of Arab-American, Muslim, and South Asian backgrounds. I'd like to see this documented or explained. Is it the powers granted under the Act or the way they are interpreted by law enforcement? Are people with the above "backgrounds" listed or in any way referenced in



**Zander Collier  
voted to endorse**

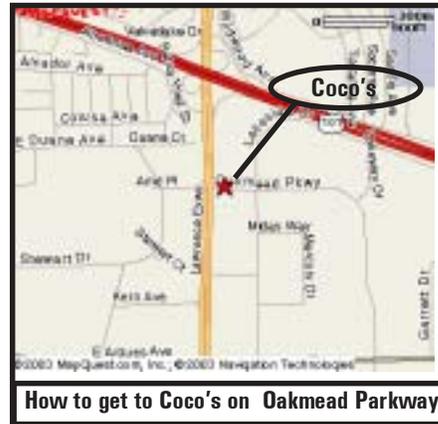


**Ray Strong had  
questions**

# SUMMER MEETING WILL BE AT COCO'S THIS TIME

by Ray Strong LPSCC Chair

The Central Committee of the Libertarian Party of Santa Clara County (LPSCC) will be meeting from 8 pm to 9:30 pm Thursday, July 10th at an old well known meeting location: **Coco's** on Oakmead Parkway at Lawrence Expressway (1209 Oakmead Parkway) 1 block south of 101 freeway. For those wanting to eat, dinner starts at 7 pm.



How to get to Coco's on Oakmead Parkway

There will be a discussion of LPSCC strategy for the rest of the year. We will also need to consider the appointment of Mike Laursen to fill the position of second alternate representative to the LPC Executive Committee. Please let me know of other issues we should cover. Anyone who has an interest in where we put our focus and spend our money for the rest of the year should try to attend.

Two areas where we are likely to spend money are:

- (1) qualifying our partisan candidates for the March 2003 primary
- (2) radio advertising.

Here is a selection of issues we may want to push in our next outreach efforts:

1. Improve homeland security by reducing taxes!
2. Improve homeland security by rescinding gun controls!
3. Improve homeland security by ending the wasteful war on drugs!

**SEE  
YOU  
THERE!**

(Continued from page 4)

the Patriot Act?

The resolution says Attorney General John Ashcroft has drafted new legislation entitled the Domestic Security Enhancement Act ("DSEA," also known as "PATRIOT Act II"). I have seen a number of official denials of the existence of Patriot Act II. It is claimed that there are many drafts that are proposed at low levels and some of these are leaked for whatever reason. But there is not any official working document of this kind. Do we have a copy of the draft and evidence that it was written or approved by Ashcroft? If the claims of this paragraph can be documented, it would help a lot. If they can't, it doesn't mean we can't oppose any such legislation. Libertarians should oppose such legislation. But we can't endorse a resolution that claims as fact things that are only alleged without proof.

The resolution says thirty years ago California voters overwhelmingly adopted a Constitutional right to privacy to protect against a "proliferation of government snooping and data collecting [that] is threatening to destroy our traditional freedoms;" I believe this is correct — again it would be helpful to provide as background material the entire relevant section of the California Constitution. Does the California Constitution contain the "proliferation" quotation? The paragraph implies that this quote is from the California Constitution.

The resolution says, during the 1930s and 1950s, the U.S. government systematically rounded up and deported thousands of Mexican immigrants and Americans of Mexican descent. Again, we need some documentation and clarification of these allegations. They seem to imply that the government deported U.S. Citizens because of their ancestry, or perhaps because they couldn't prove their citizenship. Is this the case? Is this what is meant? Or do the allegations simply refer to systematic enforcement of immigration laws. As Libertarians we support open borders allowing free ingress and egress to peaceful people. So we oppose the immigration quotas and laws. But it would be good to know whether the references in the above paragraphs are to enforcement of laws we oppose or to overstepping even the bounds of these laws in explicit programs of persecution of "Americans of Mexican descent." We need a brief history lesson here with references to documents of unquestioned authenticity. The politicians and electorate to whom this resolution is addressed are not old enough to remember these events clearly.

The resolution requests disclosure by the U.S. of: The number of individuals living in Santa Clara County who have > been questioned in connection with terrorism investigations, and the race, ethnicity, and immigration status of those individuals. I hate to see us asking for more documentation of race. I understand the reason for asking; but couldn't we ask simply for country of origin for those individuals not born in the U.S. and skip all the other information. We don't want to encourage the collection of race and ethnicity data.

The resolution requests the County Executive to report twice a year on any requests for cooperation of Santa Clara County agencies, including the Sheriff's Department and County libraries, in investigations utilizing the powers described in Section 3 above. What powers were described in Section 3? One could guess from some of the language of section 3 that there are some powers to obtain e.g. library and book store records. However, this is very ambiguous. The whole resolution seems to have been written by people who are too close to the issues. It doesn't make a very useful outreach piece.

The resolution requests in paragraph 5. Instruct the Santa Clara County Sheriff's Department to continue to protect the freedoms of Santa Clara County residents. If the Santa Clara County Sheriff's Department is requested by the U.S. Attorney's Office or FBI to exercise powers or cooperate in the exercise of powers that violate either the state or federal constitution, the Sheriff's Department shall report such request to the Board of Supervisors and shall not participate in that investigation. This one paragraph is great. Why not use it alone? Who could oppose it? It seems to cover most of the rest of the desired actions and it is relatively straightforward and unambiguous.

# HIGHLIGHTS OF MAY LPSCC EXCOM MEETING

Reported by Mike Laursen

- Joe Dehn reported that the ISP that hosts the LPSCC website appears to be going out of business. Joe is evaluating other ISPs. He says it should be easy to switch to another host, and will make sure it is resolved soon. Our NoOn website is not affected by the ISP problems because they use a different ISP's.
- As a temporary measure, until we get the LPSCC website hosting straightened out, Secretary Joe Dehn can't put minutes on the website, so will e-mail the minutes to the LPSCC-EC members.
- Ray Strong reported that we lost 43 members in Santa Clara County since January. Also, he felt that attendance at the last Central Committee Meeting was disappointing: about 15-20 people.
- Radio plan: Zander Collier is gathering information about radio stations, rates. He's also going to learn more about how we could measure the effectiveness of the ads. Mike Laursen is going to do some preliminary talking with the fundraising chairs from other Bay Area regions about the radio plan.
- We're going to try to enhance our web pages for the various school funding measures with more information. We don't have anyone at this point to own the no on E site. Mike Laursen will ask some Mt. View Libertarians if they want to volunteer to track information about Measure E and keep the site updated. [Editor's note: later Laursen says he found no one willing to do it]
- Mike Laursen said he is concerned about public misperception, objected that he didn't want to see more arguments against school funding without presenting a positive message about education. Ray suggested that Mike write up something that can be added to each of the noOnN.org sites, which Mike is working on. [Editor's note: He did an excellent presentation - see page 9.]
- Campaign Chair Dennis Umphress told the committee of a story in the SJMN that reported on a new touch screen voting system. [Editors note: this can enable IRV (Instant Runoff Voting), which is expected to be a boon to LP vote totals on the first round vote - see April 2003 Santa Clara Libertarian, page 2]
- Dennis Umphress reported on the measures campaigns for the June 3 elections. He said all measures have "Yes on" committees:
  - Measure A : They have received \$64K, spent \$33K, with \$37K on hand. The big donors are architects and construction companies. One local school has sent letters home with students on why their parents should vote yes on A. Umphress said "I have a copy of the letter and plan to ask the SJUSD board if they think such letters are appropriate."
  - Measure B: They have received \$25K, spent \$1K, with \$28K on hand. They "inherited" \$4K that the old Yes on H committee didn't spend. Their only big donors are local school PTA's.
  - Measure C: They have received \$24K, spent \$5K, with \$19K on hand. The big donors are architects and construction companies.
  - Measure E: They have received \$35K, spent \$10K, with \$21K on hand. \$4K received was nonmonetary. Their only big donors are local school PTA's and district officials.

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## (Ballot Arguments Get Exposure - Continued from page 3)

The League of Women Voters of California has a good web site with information on this issue as well as links to sites with both pro and con viewpoints:

<http://www.smartvoter.org/2003/06/03/ca/scl/meas/E/>

Finally this thought from <http://www.votenoone.org/> "This tax increase has been poorly thought out from start to finish. Why the rush to get this tax increase before the voters in a special election? This special election will cost the district between \$150,000 and \$209,000 - money that is lost from critical programs. The board hasn't fully considered whether budget cuts can be made to free up funds for the stated purposes. Families' budgets are being slashed throughout the district's homes-why not on this school board?" - David Bergen

Mike Laursen reported that Chris Kuszmaul, registered Libertarian who ran for Mt. View city council in 2002 put multiple "Libertarian"s in a pro-E LTE published in the liberal pro-E Mt. View Voice. Headline and excerpts from his letter:

Libertarian likes school tax (SCL Editor's note: liberal Voice editor must have loved to write this headline!)

"I am a registered Libertarian. As such, you may wonder why I support Measure E. After all, Libertarian political philosophy resonates with the arguments of recent opinion pieces in the Voice, opposing the measure. Libertarian leaders (from outside the area) actively oppose the measure. They are wrong. "

7 paragraphs of pro Measure E discussion omitted for brevity (and disgust :-))

"This Libertarian does not believe in many taxes. The exceptions are for those under local control, with a specific purpose, limited duration, and which apply to areas where local governments have performed well. Measure E meets all these criteria. Vote for it."

# NEWS BRIEFS ON TOPICS OF LOCAL LP INTEREST

Reported By Marv Rudin

■ **DEA PROTEST** Dennis Umphress led an Americans for Safe Access protest of arrests and prosecution of medical marijuana patients by the federal government. The protest took place in front of the DEA offices in San Jose on May 27th. Mark Hinkle, Allen Rice, Zander Collier, and Aram Grayson accompanied Dennis.

■ **INEXPENSIVE PROFESSIONAL CANDIDATE WEBSITES** Jon Hugdahl has found a good source of professionally designed candidate web sites for just \$10 per month. It can be found on the web at <http://www.campaignsecrets.com/websites.asp> The colorful sales pitch for it says: "Voters no longer take a candidate seriously who does not have a campaign web site. Nor will they take seriously a candidate whose web site looks like it was designed by my three-year-old. In the past, though, the downside has been that a professionally designed and hosted web site would cost an arm and a leg for already cash-strapped campaigns. Not any longer. Campaign Secrets recently announced a new service providing professional-looking campaign web sites for as little as \$10 a month. That's right...just ten smackeroos a month. If your campaign can't afford that, you shouldn't be running. Period." If half as good as claimed it could ratchet an LP candidate's vote totals up a notch for under \$100 per election. If someone tries it for the 2003 elections we'll get an indication.

■ **CUTTING ROBBED TAXES A GIFT?** The following LTE submission to the S.J. Mercury News, used two clever ideas, one by local Libertarian Johann Opitz and one by Humboldt County Libertarian Chair, Fred Mangels:

**On Fri, May. 23, a Mercury News Editorial was headlined "At least the tax cut is smaller. IT'S A GIFT TO THE RICH, DISGUISED WITH GIMMICKS"**

**I agree with the Libertarians that this Mercury News' position is just like saying that a bank robber returning some of the loot to the banks he/she robbed is making a "gift" to those banks.**

**M.B. Rudin Sunnyvale 408-738-8204 workday 408-735-5626 night & weekend .**

The SJMN must have realized the LTE rebutted their position too colorfully well - not surprisingly, they didn't run it.

■ **WEBSTER FIGHTS FOR HIS RIGHTS** Local LPer John Webster is now not only fighting to confront police lady Lt. Herbert and the S.J. Police Dept in court, but defending himself from a charge that advertising his case with a sign carrying box truck is harrassment!. He charges that arresting him for "harrassment" was illegal because it deprived him of free speech. [Editor's note: If the police thought the truck was conspicuous enough to "harrass, apparently the Freedom Wagon idea proposed last year in the SCL News for getting a message noticed does work! I wonder where John got the idea?]

Webster reported the hearing date for the S.J. Police's motion to quash the may be put off until June 13, and the main hearing may have to be re-set to after that date. He said "My attorney Anthony Boskovich, is affirming that I had the right to notify the City of San Jose, the Police Department, and the public in general using all means possible, that there was "Organized Criminal Activity" in the San Jose Police Department and that Lt. Herbert participated in that illegal activity. And that giving such notice does not constitute "Harassment" of the guilty parties. The only reason to not want Lt. Herbert's deposition is because they fear that the truth will come out and that I will then be able to sue the City. Calls/faxes to the City of San Jose, its Major, or to Chief of Police Lansdowne that encourage them to allow the truth to come out, would be much appreciated."

■ **UMP II HAS BEGUN** LPSCC rep to the LPC, Mark Hinkle reported that the LPC Excom voted to accept a new formula for sharing of dues and donations between the national LP and the the LPC. The national LP (AKA Libertarian National Committee or "LNC") authorized an alternative UMP (Uniform Membership Plan) formula, after enough state LP's had agreed to participate to justify administering and accounting for the new system. Hinkle said that in March he LPC Excom decided to drop UMP I in favor of UMP II because it promises to provide more income in the short term [Editor's note: more income only if the LNC becomes solvent any time soon (For months it has been 100% delinquent in scheduled payments of the dues and donations share supposed to go to the LPC under the terms of UMP I . Does Gray Davis have some soulmates at the NLC? < g > ]

NLC and local LP member Joe Dehn explained: "With respect to monthly payments, the difference is that the new formula gives less than the old formula for new members, but more for old members, and does not include any bonus for higher-level contributors. The other main difference is that the new plan allows state parties to keep part of the initial dues payment for new members if they are recruited by the state party. He said that under present circumstances of not getting many new members, "we're financially better off under UMP II and it gives incentives to each group (local, state, & national) to obtain new members."



Jon Hugdahl



John Webster

# ***ELECTIONS ARE COMING NOVEMBER 2003 This Is The Time To Make Your Decision To Run***

**If You Win One Of These Nonpartisan Offices You Can Have Fun Shrinking The Bloated Government!**

**By Dennis Umphress, Campaigns Chair,**

For those of you who may be interested in running or helping with elections coming up, the Santa Clara Valley Office of the Registrar of Voters will be conducting a Consolidated Election On November 4, 2003. Areas with possible elections are:



**Dennis Umphress**

#### **Cities:**

**Cupertino, Gilroy, Los Altos, Palo Alto, Sunnyvale**

#### **Special Districts:**

**Aldercroft Heights Water District, 3 seats  
Burbank Sanitary District, 2 seats  
Cupertino Sanitary District, 3 seats  
San Martin County Water District, 3 seats  
Santa Clara County Water District, 7 seats  
Saratoga Fire District, 1 seat  
Silver Creek Valley Country Club GHAD, 2 seats  
South Santa Clara Valley Memorial District, 3 seats  
Sunol Sanitary District, 3 seats  
West Bay Sanitary District, 2 seats**

#### **Elementary Schools:**

**Cupertino Union School District, 2 seats  
Los Altos School District, 2 seats  
Montebello School District, 1 seat  
Sunnyvale School District, 2 seats**

#### **Unified School Districts:**

**Palo Alto Unified School District, 3 seats  
Patterson Joint Unified School District, 4 seats**

#### **Community Colleges:**

**Foothill-DeAnza Community College District, 3 seats**

To find which districts you live in enter your address at this web site: [http://www.sccgov.org/rov/district\\_form/0,5455,,00.html](http://www.sccgov.org/rov/district_form/0,5455,,00.html)

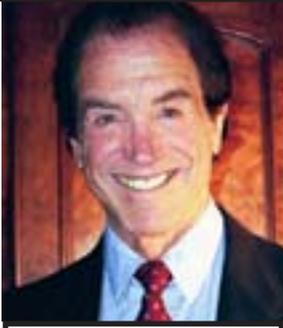
If you are considering running for one of the above offices I strongly recommend that you attend their meetings. The meetings will give you an idea of the issues facing the district and the duties of the office.

#### **Dates to remember:**

**July 14, 2003 - Nomination period opens, first day candidates may pick up nomination packets either at the district office or at the Office of the Registrar of Voters.  
August 8, 2003 - Nomination period closes, deadline to file (in the Office of the Registrar of Voters only) all necessary nomination documents.  
August 9 through August 13, 2003 - Extension period, If an incumbent in a specific district fails to file a Declaration of Candidacy by August 8th, there will be a 5 calendar day extension during which any candidate, other than the incumbent, may file or withdraw from said office.**

# OPINIONS

*Share your thoughts on making our party more successful and advancing the individual freedom with responsibility movement*



Marvin B. Rudin, Editor

**ON LPC's MODEL REGION-BYLAWS:** Recently the LPC Executive Committee passed a binding resolution on this subject. (See the full text at <http://www.ca.lp.org/act/region/notice-20030421.html>). Comments against its passage by members Starchild of the LPSF, and Mark Murphy of the Orange County LP were agreed with by our Cathi Brown:

**On 5/3/03, Starchild of the LPSF wrote:** "As the saying goes, the devil is in the details. Having a set of model bylaws available at the state level for regions to refer to is wonderful. Having these bylaws essentially forced on the regions, unless they go to the hassle of sending their own bylaws to the state (by registered mail, no less!) and erasing all conflicts (as judged by the state LP) between their existing bylaws and the state bylaws within 60 days (i.e. 2 local meetings, for most groups) is not wonderful. It amounts to another ham-fisted attempt at top-down control."

**On 5/3/03 Mark Murphy responded:** "Worse. I'll have to say I'm fairly surprised there hasn't been more of a reaction to these (especially State ExCom members who should be representing us. There are clauses that require CCC officers (and there're at least 10+ defined) to pay \$10/mo to even qualify for being an officer!

There're provisions for the State ExCom to change the region's Bylaws and it is the responsibility of the region to actively reject the changes within a small time period or forever accept the changes!

There're requirements that increase the requirement on how CCCs can change or amend the bylaws.... Where large regions would need close to 50 people to make any changes! Whereas the State ExCom only needs a much smaller number to do so (15 on the State ExCom, but a smaller number to pass a resolution of change). Obviously, no notice is needed for the State ExCom to change the region's bylaws, but all kinds of notice is needed for the region itself!

Throughout these bylaws, the State ExCom and State Central Committee are given large powers over the regions while stripping the region's central committee members from control... and granting much larger powers to the region's ExCom.

I disagree with a large chunk of that tone. I really encourage everyone who has an interest in LP County Central Committee affairs and who agrees with decentralized relationship between a County Central Committee and the State Central Committee to read over these bylaws IN DETAIL.

I understands Aaron Starr's goal of giving the region's something to start with, but I think these model bylaws are \*not\* it as they stand."

**And Catherine Brown agreed, writing:** "Calling them "Model" bylaws then embedding in the fine print all sorts of mandates is outright misleading. I'm disappointed that in "The Party of Principle," where the guiding principle is devolution of power and responsibility to the maximum extent possible, this type of central-authority power grab is being promulgated. Is nothing sacred?"

**EXCELLENT PRO-LIBERTARIAN PRESENTATION ON EDUCATION BY MIKE LAURSEN** was put up in May on LPSCC web site at <http://www.VoteNoOnX>, where "X" = A, B, C, or E (for each of the four initiative measure on the June 2nd special elections ballots. It reads as follows:

**"What is the Libertarian Party for?**

**We are for parents having more choices about where their children go to school and what their children are taught there.** And teachers having more choices about who they work for. There are lots of practical steps that Californians can take to increase school choice: vouchers, tax credits for private school tuition, easing regulation of private and home schools, taking back local control of education from the State bureaucracy.

**We are for taxpayers keeping more of the money they earn.** With more money in your pocket, you could spend more on the things that are important to you: starting a business, buying a home, earlier retirement, sending your children to art and music classes, charity. With more money in everyone's pocket, the economy will grow.

Ideally, the Libertarian Party would like to see the **separation of school and state**, for many of the same reasons that the Constitution requires separation of church and state. Perhaps worse than the potential for public schools to teach only one side of a controversial issue is the pressure to dumb down what is taught to avoid offending any point of view.

Read more about the Libertarian Party's views on Education: <http://www.sc.ca.lp.org/issues/education/>"

It fulfills our primary purpose, which is to attract people to the LP. Whether it's sufficient to persuade a NO vote is another

(Continued on Pg. 10)



Mike Laursen

(OPINIONS - Continued from page 9)

matter. The voters considering a public school-funding parcel-tax or bond aren't being given a choice of saying "No, I want you to do education the LP way instead" unless they're parents of school age kids who are willing to home school. Their choice apparently is just "Fund the public school's stated needs, or short change the kids." To get a NO vote we need to tell them there is a way for school administrators to get the job done without more money. An argument used versus Mt. View's Measure E said spend less by using information technology and less teachers and staff. The benefit for such an argument is that it tells the voter he can vote "No" knowing there is an alternative for managing the public school to give kids a good education that doesn't require spending more OR a major change like vouchers, etc. ■

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### **CONCEALED WEAPONS LICENSING ABUSE**

In response to a statement of Jim Marsh of Equal Rights for CCW which was posted by John Webster on our local LP eboard, local LP member and elected conservation board member Gil Carroll opined: "This seems like a worthy cause for the SCLP to support." The subject statement is summarized by its first paragraph, as follows:

"AB1044 is a nasty little bill that retroactively legalizes gross misconduct in the handling of CCW ("Carry Concealed Weapons") permits. There are currently about 39,000 of these permits, which allow lawful self defense in public with a concealed loaded firearm, and the permit holders are approved at the personal whim of sheriffs and police chiefs - the process is "discretionary" and wide open for abuse." ■

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### **NLC'S PLAN TO FOCUS ON SMALL BUSINESS**

Starr 5/21/03: "FYI...I really like the attached fundraising letter that national sent out last week. It reflects national's new strategy of championing small business owners, which LP Marketing Director Mark Schreiber introduced to us at the State Chairs' Conference. This is brilliant! This is a winner! Kudos to Geoff Neale and the LNC for going forward with this!!"

To which Joe Dehn commented "Personally, I think that the strategy of dedicating ourselves to a "constituency" while avoiding talking about issues because they are "divisive" is a formula for the destruction of the Libertarian Party."

Your editor agrees. The people who want much more freedom and much less government and taxes can be found among a broad constituency. The focus on small business people undoubtedly is motivated by the greater resources such a constituency can bring. But unfortunately (a) Libertarians are too few to do anything effective governmentally or otherwise to materially solve their issues for them; (b) Libertarians believe in personal freedoms and national defense policies that many small business owners would abhor - like drug and other personal "sin" freedoms, open borders, and a greatly limited military. They are practical people - you must be to run a business successfully - and at the rate the LP is growing or shrinking it obviously will be 30 years or more (if ever) before the LP is big enough to repeal any laws or regulations for them.

Also, in Silicon Valley "techno-libertarians" are probably the most numerous and easiest to attract target group - they are logical and have good incomes. So in our county, technical-professionals probably warrant the greater focus.. But the problem is they're always reading email and we're too principled to be so cheap as to reach them at practically no cost by employing bulk email. Besides, if we do such a sensible thing considering the prohibitive cost of advertising and promotion compared with the LP's meager numbers and resources and considering its virtual invisibility to the vast majority of eligible voters which includes 30 million "small L" libertarians who are unaware of the LP's existence, we might grow so fast there'd be no need to hire a party growth savior like the sales-oriented manager at a probable cost of about \$100K/yr Aaron Starr wants. < g > ■

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**SJMN EDITORIAL POLICY** I just discovered S.J. Mercury Managing Editor David Yarnold's report of a meeting at SJMN in San Jose, July 23, 2001, under The Associated Press Managing Editors National Credibility Round tables program, quoting my comment (I was one of just 3 who were quoted out of 22 readers attending the event who were selected from 75 who wrote Yarnold asking to attend) as a "Libertarian official" on what is wanted: "unbiased coverage of everything". The quote, which is still up on the Associated Press Managing Editors web site at [http://www.apme-credibility.org/members/sanjose\\_mercury\\_news\\_report.html](http://www.apme-credibility.org/members/sanjose_mercury_news_report.html)) reads as follows: "Our readers told us they wanted more local coverage and more coverage of all political groups and perspectives; 'All people really want is unbiased coverage of everything' said Marvin B. Rudin, a Libertarian Party official." That's the good news. The bad news is balanced coverage still hasn't happened. The editorial policy of the SJMN apparently is still to not cover "3rd parties". For example Johann Opitz said recently in response to a comment on his getting an LTE published "I'm persona non grata at the Murky Snooze. Doesn't matter how short my letters are - the editorial staff does not like letters based on hard facts, hard logic, hard reasoning (especially when they hit solidly on the chin) — they prefer letters without facts, logic, reasoning; preference is for vagueness, emotions, and cliches." And recently the very short LTE I sent in to the SJMN based on Opitz's colorful line criticizing the SJMN editorial opposing Bush' tax cut was unpublished although it would take little space and presents a balanced point of view to that of the paper (see story - pg. 7 this issue). ■

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### **DO MOST SANTA CLARA COUNTY LIBERTARIANS WANT TO HIDE THEIR ASSOCIATION WITH LP?**

What other explanation is there in view of the complete lack of response to a request by the Publicity Chair (see March 2003 SCL page 2) that members help by taking such easy-to-do actions as using car signs, putting/passing out LIFE (\*Libertarians Informing Folks Efficiently) cards, submitting unauthored-but-agreed-to LTE's ? [Editor's note: If the reader wants to destroy this unanimity of member inaction by at least one - you, will you please contact me - it's never too late to repent! < g > (see my email & telno on pg. 9).] ■

**EDITOR'S NOTE:**  
*Had a Libertarian  
outreach experience?*

*Converted someone?*

*Tell it to the editor!*

*Email or phone Newslet-  
ter Editor (see # at right)*

**US mail:**  
**651 Princeton Drive,  
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Alt ExCom Rep	Joe Dehn	(650) 858-1842	jwd3@dehnbase.org

Judicial Committee	Catherine Brown  (408) 723-8711	Kennita Watson kennita@kennita.com (408) 733-7773	Elizabeth Brierly ElizabethB@netgate.net (408) 272-3191
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This is the publication of the Libertarian Party of Santa Clara County, a non-profit political organization.

# THE LIBERTARIAN PARTY



**of Santa Clara County**

P.O. Box 60171 Sunnyvale, CA 94088-0171

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**The Libertarian Party** is the party of principle. To assure and affirm that our party never strays from its principles, we request our members to sign the pledge below. (Non-signers cannot vote on party business).

*I hereby certify that I do not believe in or advocate the initiation of force as a means of achieving political or social goals.*

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

## Membership Application

- \$25 Basic .....
- \$100 Sustaining .....
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Plus an additional contribution to the LPSCC:

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***Please Plan To Attend Summer Central  
Committee Meeting Thursday July 10th***

**Time 8 pm to 9:30 pm (If you're eating, dinner starts at 7 pm)**

**Location: Coco's at 1209 Oakmead Parkway at intersection of Oakmead  
with Lawrence Expressway in Sunnyvale (1 block south of 101 Freeway)**

**Come and vote on proposals and swap views with your fellow Libertarians**

