

California Freedom

July 2007

The official publication of the **Libertarian Party of California**



• Donna Orlando and Michael Benoit staff the SDLP booth

■ Building the Party

San Diego LP Woos Art Lovers

by **Jesse Thomas**

Membership Chair, San Diego LP

On May 20, the San Diego County LP sponsored an *Operation Politically Homeless* Booth at North Park's "Festival of the Arts," where volunteers administered the Nolan Chart political quiz. Some 200 people took the test.

Although it can be tiring to administer so many tests, there's nothing more rewarding than hearing: "Oh, I'm a

Libertarian!" spoken by a quiz-taker. Most people scored either Libertarian or Left. A few people scored Statist or Right.

• See **San Diego** page 8

■ Hollywood Libertarian

CSI Actress Halsey an Unabashed Libertarian

by **Thomas M. Sipos**

Editor

Darcy Halsey is descended from Navy heroes and Republicans and hippies. She works in Hollywood's famously progressive film community. With such a checkered heritage, it's no surprise that this actress is a registered Libertarian!

"I'm originally from New Hampshire, a very libertarian state," said Halsey, whose views mirror the LP's old platform. "I believe the government should

stay out of personal affairs and not micro-manage our lives. It should not regulate marriage laws or laws on reproductive rights. I believe across-the-board in an individual's right to choose, which applies to a person's right to bear arms, although that's not a right that I exercise. I support the party's stance on cutting taxes, and holding the government accountable for its destruction of the environment and contributing so heavily to pollution. I love that the party believes in non-intervention in regards to war, and only going to war in

self-defense."

Halsey registered Libertarian in 2000, switching from Republican. That was also about when her acting career took off. Her recent credits include *Behind the Smile* (with Damon Wayans & Jim Belushi), *Material Girls* (with Hilary Duff & Anjelica Huston), and an appearance in 2003 on the "Jackpot" episode of *CSI*. Her newest film is *Drifter*, from the award-winning director of *The Delivery*, Roel Reine.

But it was Halsey's perfor-

environmental extremists. They responded by putting Measure A on the ballot.

Measure A would lock up 97% of the land and restrict future growth to five small areas.

• See **Measure A** page 8



Artist: Stuart Smith, www.gravtoncreations.com

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mance in the internationally-acclaimed, 2005 antiwar play, *What I Heard About Iraq*, that greatly fueled her distrust of

• See **Halsey** page 7

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SUBMISSION DEADLINES

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• August 2007: Due 6/20/07
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Advertising orders and artwork are due eight weeks and four weeks, respectively, prior to the month of publication. We reserve the right to refuse advertising. All contributions subject to our editorial guidelines.

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Report from the June 9 LPC Executive Committee Meeting



FROM THE CHAIRMAN

On June 9th, the State Executive Committee convened in San Diego. We had a great time conversing with members of the San Diego, Orange, and Riverside County parties, and held a great after-meeting reception with friends and guests of the State Party.

It's been a while since the Executive Committee met in San Diego. I'd like to see us continue moving around the meetings to reach members all over our vast state. I'd also like to schedule events after the meetings as a way of networking with local members and coalition partners. If your county would like to host such a meeting, please contact me and pitch your location.

At this meeting we consid-

ered many items of business. Some highlights include:

- **Filling two open Alternate positions.** I'd like to extend a welcome to **Dan Minkoff** (1st Alternate), who is also our Media Relations Committee Chair, and to former Southern Vice Chair, **Mark Selzer**, who is now our 2nd Alternate.

- **Creating a Membership Committee** to review how we recruit, retain, and service members. This important committee will take a qualitative look at our efforts and make recommendations as to how best serve the needs of you, the membership, now and into the future.

- **Scheduled our 2008 Convention**, to be located in San Diego around President's Day Weekend next February. San Diego's lovely scenery

helped convince the Executive Committee that it would make a great host city. As soon as we determine the exact location and time, we'll let you know.

- **We also ratified a budget** that had been projected upon us from the past Executive Committee. This budget is far from ideal, and forces us to work heavily on fundraising this year and less so on programs. Thus,



we're shifting funding of our operations more towards monthly pledgers. We've got our Coffee

Club program, which we've already unveiled. That starts at a "cup of coffee per day" (\$42 a month). We'll also take pledgers who donate as little as \$10 a month.



If you're not a current pledger, please contact our State office at (877) 884-1776 and speak with Executive Director **Angela Keaton**. We're counting on your

We're shifting funding of our operations more towards monthly pledgers.

help to build a solid funding foundation as we prepare our Party for the all-important 2008 election season. ●

— Kevin Takenaga
Chair

Come, Let Us Reason Together



FROM THE EDITOR

Several years ago a libertarian activist accused me of being a (right-wing) "purist" who wanted to purge the party of all "left-leaning libertarians." More recently another activist accused me of being a (left-wing) "ideologue" who wanted to purge the party of all pro-war libertarians. Yet I've never called for a purge. (Maybe it was projection?)

Curiously, while these two men were from opposing ends of the "libertarian spectrum" (if there is such a thing), they shared some traits. Both disdained issues and ideas. They believed this was "a political party," which was "about getting votes, not philosophy." Campaigns were won not on issues, but by candidates who came across as "likable, trustworthy, and competent." If I disagreed, then maybe I should quit and "join a think tank." Most of all, both men insisted that debates must be avoided in party listservs and publications; both men saw debate as threatening to the task of "building the party." Debate was "divisive" and "drove people away."

I can understand avoid-



ing politics or religion at a Starbucks shareholders' meeting. Politics and religion are divisive, and

one needn't discuss them to market lattes. But how can coffee executives avoid discussing what makes for a really good espresso? And can you imagine a priest or rabbi saying that their profession is no place to discuss God or scripture—too divisive! Likewise, what sort of political party avoids discussing political issues? Demopublicans, I suppose, who care nothing for principles, but only for power.

To say that political parties are about getting votes, and so we mustn't discuss our political philosophy lest it drive people away, is like saying that a church's task is to fill the pews, and so they mustn't discuss God, lest atheists refuse to join.

Political disagreements within our party won't disappear by hiding them, any more than you can strengthen a cracked wall by painting over it. If you try to suppress public discussion and debate, you'll only drive the debates to the supper clubs and the internet. (We're talking about libertarians, after

all!) Banning public, external debates will only spawn resentful, internal debates—which in

As a party that values Reason and Principles, we should welcome rational debate and should be able to disagree respectfully.

the long run is more corrosive to party-building.

If there is a problem, it's not with disagreement, but with incivility. So let's be polite. As

a party that values Reason and Principles, we should welcome rational debate and discussion over points of disagreement--and we should be able to disagree respectfully.

Our political principles are our product. It's what our salespeople (candidates) market to voters. Which make debates and discussions our Research & Development.

In this issue of *California Freedom*, we bring to you a civil and rational debate on the issue of capital punishment. I'm ambivalent on this issue myself, but as a rational being, I'm open to new arguments and evidence that may change my mind.

I am not afraid to be intellectually challenged. How about you?

— Thomas M. Sipos
Editor

Like what you see?

Purchase back issues of *California Freedom* in bulk quantity to sell or distribute at your outreach event!

Please contact:
Editor@CA.LP.org



Fund Raising is Fun Raising (Part I)



FROM THE EXECUTIVE DIRECTOR



Fund Raising is Fun Raising. Well, not quite, but it is essential. The three most dreaded words any chair or executive director can hear are "Why don't you..." You know why we don't, oh gentle volunteer. Because it costs money—that's why. Many of you have great ideas. None of them are free. None.

It's easy to make excuses. "I'm a simple painter living in a garret." "We don't have a specific program." "I don't have a car." Fund raising is not just for the suit-and-tie set with their power point and power steering. Fund raising is done effectively by the young, the hip, and unfortunately for us, the full-on young, hip commie set. Leftist non-profits thrive because artists, bohemians, racial and religious minorities have mastered a simple principle: People give money because they are asked. Once in the habit, they continue to give. For those of you not ready to host gala banquets and personal solicitations in Dubai, here are a few basic techniques.

Carry LPC remittance cards and business reply envelopes as you make your social rounds. At my prior post, my much beloved Public Relations direc-

tor would make a schedule of parties, dances, rallies and other events for each weekend, and stop by with premiums and membership cards, signing up new members on the spot. At \$50 for an annual membership that added up. Each weekend 2-10 new members were added. Not only did that add to our future pledge

Set the standard for others. The fight for freedom needs you.

drives, but we had listeners who were a part of the unique programming we offered.

The Libertarian Party message is simple but unique. We have something special to offer. Every new member you sign up will take the extra care to give to libertarian candidates and vote libertarian at the polls. As you begin your mini membership drive, be sure to write your name on the cards, so the chair and I know who to thank profusely at the next Executive Committee meeting.

Ask your county chair for a list of lapsed local members. Scan the list for old friends and give them a ring. A friendly chat or lunch date is a perfect time to remind former members that campaign season is upon

us. Their \$55 donation will keep them up-to-date, as well as provide the money needed to help counties meet, greet, and recruit new candidates. If the lapsed member is capable of giving more, bring along an executive committee member, a local office holder, or a sympathetic community leader to show the wayward libertarian that you value his past contributions and take his concerns, and the fight against fascism, seriously. More importantly, you are giving time to a fellow libertarian. You will be rewarded.

Specific goals however create excitement. Have your county affiliate make a wish list of items that require funding. Host a simple backyard breakfast or cocktail party and pass the hat (which you should already be doing at your supper clubs). Publish a running total of money raised to-date in your newsletters. As the numbers rise, members will be inspired to give and give, even without special events, to reach a numeric goal. Momentum will rise as money rises to meet each item on your wish list. Submit your successes to *California Freedom*. Set the standard for others. The fight for freedom needs you. ●

— Angela Keaton
Executive Director

Holding a Libertarian Event?

Tell us about your plans or how it went

Editor@CA.LP.Org



Artist: Scott Bieser, www.ScottBieser.com

Letters to the Editor



No "Silver Bullet" Solutions

I just read the June 2007 issue of *California Freedom*. Nice job. I appreciate someone at the helm who has been around the block innumerable times.

What you said about the "young turk" mentality—putting it into a perspective that honored both that group and the "old geezers" (like you and me!)—was right on the mark ["Working to Solve Old Problems"]. I especially appreciate the issue's focus on Libertarians who are out in the world making a difference in all of these areas that we are continually exhorted to attack by party newbies.

When I encounter newcomers in person or online, I inform them that the LP has tried a great many things in the past several decades. Any "silver bullets" would have worked by now—but that doesn't mean that those suggestions are without merit or promise today.

The important thing is to become familiar with past efforts, to try to understand why they succeeded or failed, and to adjust our latest take on the same tactics or strategy, so as to incorporate the previous lessons learned in hopes of attaining a *different* (with luck, a much better) result than we got the last time.

If I had any suggestions for you, it might be to tap your own memories—or those of your old-time LP colleagues—for anecdotes about one or more times when we did pursue commonly-suggested "silver bullet" solutions. What happened? Why do we think it happened? What can we take forward, and how might we adapt the approach to try it again? You might even be able to scare up enough material for an ongoing column: "The Silver Bullet Hall of Fame."

Anyway, I think you're off to an excellent start, and I look forward to many more interesting issues in the months to come.

— James Anderson Merritt
Santa Cruz, CA

Raise your Mug

to New Coffee Club member, **Paul Studier**, of Orange County, who really helped the party by making an up-front donation!



I Want to Join the California Coffee Club!

☐ **Yes!** I want to buy the Libertarian Party of California coffee every working day, and pay for it on a monthly basis:

- ☐ One cup — \$42 per month
- ☐ Two cups — \$84 per month
- ☐ Three cups — \$126 per month
- ☐ Five cups — \$210 per month



The Libertarian Party is the party of principle. Your pledge can include membership in the Libertarian Party of California. To publicly affirm what we believe — and to ensure that our party never strays from our principles — we ask our members to proudly sign this statement:

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

☐ Voided check enclosed to authorize automatic monthly payments. Or: Please bill my ☐ Visa ☐ MasterCard ☐ AmEx ☐ Discover

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LPC-2007-02-28

What's Up this Week?

For the latest activities, discussion groups, meetings, parties, and demonstrations of the Libertarian Party of California, and to link to your local region's site, visit our web site:

www.CA.LP.org



■ Because Ideas Matter Don't Exterminate the Death Penalty

by Daniel Wiener

Member, LPC Judicial Committee

I strongly support the death penalty, because I deem it an appropriate use of retaliatory force against persons who have committed heinous, violent crimes. However, many libertarians oppose it and believe the LP should take an official stand against capital punishment. Here are some considerations as to why we should not:

Does the death penalty intrinsically violate libertarian principles?

The most common and succinct expression of libertarianism is "non-initiation of force." However, this does not translate into pacifism; the use of force for self-defense and retaliation is legitimate. That's one reason why libertarians have always endorsed the right to keep and bear arms. Incarcerating persons convicted of violent crimes like rape and murder is consistent with libertarian principles. Execution is also an appropriate punishment when it fits the nature of the crime.

Can the government be trusted with capital punishment? To a large extent this is an "anarchist versus minarchist" dispute as to whether government should retain even the minimal "night watchman" function of protecting people's rights against force and fraud. If governments ought not to exist at all, then obviously they shouldn't execute anyone. But for non-anarchist libertarians, governments can and should wield force (even deadly force) under proper, carefully proscribed circumstances such as the apprehension and punishment of violent criminals.

Will the death penalty be applied to inappropriate crimes? While we must always be vigilant against a future dictatorial regime which might execute freedom fighters, nobody in history has ever been executed for treason against the United States.

Does the death penalty deter crime? Sharply conflicting studies and opinions abound as to the deterrence effect of capital punishment, especially when its imposition is so limited in this country (the execution rate for murders is less than 0.1%) and so delayed (those executed spent an average of ten years on death row). No one can deny that executed criminals themselves are deterred from committing further crimes. Regardless, deterrence is not my primary concern; justice is.

What if innocent people are executed? This is the strongest theoretical argument against capital punishment, since we have no way to resurrect the dead if a mistake is made. But it is not reasonable to demand *perfection*, since infallible knowledge is not a characteristic of human beings or of the universe we live in. We can insist

Photo: Elizabeth C. Brierty



on a very high level of certainty. I would consider a 10% error rate to be totally unacceptable. However, I would consider a 0.1% error rate undesirable but not unacceptable, assuming every reasonable effort had been made to affirm that individual's guilt. Your mileage may vary.

What about those death row inmates who have been found innocent and released? The Death Penalty Information Center claims that "Since 1973, 123 people in 25 states have been released from death row with evidence of their innocence." But the DPIC fails to distinguish between *legal* innocence and *factual* innocence. A person may

The use of force for self-defense and retaliation is legitimate.

be acquitted at retrial (i.e., found *legally* not guilty) due to many factors (inadmissible evidence, dead witnesses, etc.) even if that person is *factually* guilty. The DPIC also includes among its list of 123 people those who prosecutors did not attempt to retry and others pardoned by a governor. Only a quarter of the cases (i.e., 0.4% of the approximately 7,800 death sentences since 1973) represent claims of actual innocence with alleged proof to support the claims, and even those are disputed by DPIC's critics.

But even in the above cases cited by the DPIC, innocent people were not executed! They were released! That's what is supposed to happen, and why we have an extensive series of mandatory appeals and reviews for people sentenced to death. *Over the past century there has not been a single proven case of a factually innocent person being put to death in the United States.* And with the advent of DNA testing and other modern forensic tools, the chance of executing a factually innocent person continues to decline.

I do not believe the LP should embrace political positions which are not grounded upon fundamental libertarian principles and which are not supported by a broad consensus of Libertarian Party members. That is why we require a two-thirds super-majority to modify our Platform. A proposal to abolish the death penalty does not meet these requirements. ●

Daniel Wiener is a former LPC Secretary, and a current member of the LPC's Judicial Committee. His email: Wiener@Alum.MIT.edu.

Libertarians Should Say "No" to the Death Penalty

By Ted Brown

Member, LPC Executive Committee

Photo: Alan Lundegard



On a recent visit to London, my wife, daughter and I toured the Tower of London. The guide gleefully told us about the various aristocrats taken "to the block...and the axe" centuries ago. It was an honor to be beheaded instead of hanged, and the wealthy condemned paid the executioner to be sure the job was done quickly.

Today's prisoners are normally not aristocratic political dissidents but lower class murderers or accused murderers, most likely addicted to alcohol or drugs. The method of execution is the supposedly more humane method of lethal injection. The attitude is the same: the state has the right to kill—and in the name of its citizenry.

Libertarians don't trust government officials to make decisions about our lives. With capital punishment, however, many libertarians embrace the concept without considering the ineptitude and venality of the officials in our criminal justice system, or the dangers inherent in setting up a system to kill undesirables. Just as I don't trust government to regulate broadcasting or set agricultural policy, I also don't trust them enough to give them the right to execute people.

The Libertarian Party of California's platform contains a "Judicial" plank. This is the longest plank in the platform, because it seeks to correct the unfair and anti-freedom aspects of California's legal system. From legal

Just as I don't trust government to regulate broadcasting, I also don't trust them enough to give them the right to execute people.

definitions of crimes, to methods of jury selection, to the rules of evidence, to sentencing guidelines, the system is stacked against the defendant (guilty or innocent). The most blatant example is the "death qualification" of juries, to ensure that only death penalty supporters get seated for capital cases.

Like everyone else, Libertarians want to see vicious killers get their just reward. But what is justice in a system run by bureaucrats? The victim can't be brought back, of course. Are we then looking for revenge, punishment,

or rehabilitation? Libertarian justice theory has generally looked towards a fourth option: restitution to the victim first, with protection of society considered

nearly as important.

With property crimes, restitution is easy. The criminal pays the victim for the loss, preferably with punitive damages thrown in. In most violent crimes, this could work with the criminal paying the victim's medical bills. Criminals who are a physical threat to others should be locked up in order to protect us—and they should work to pay their room and board in prison. Labor unions have consistently opposed this as being competitive to manual workers.

Murder is a special case. Of course, restitution could be paid to the victim's family, and the murderer can be imprisoned to protect the rest of us. But what is served by killing the person? The arguments involve justice, economics, and protection.

It's a legitimate argument that justice requires "an eye for an eye," that someone who takes a life (except in self defense or other extenuating circumstances) should forfeit his life. That has been the common attitude since biblical times. Killing is wrong, no matter who does it. But consider the ultimate mistake of executing the innocent. Yes, forensic evidence collection keeps improving. But what of murder suspects' ability to pay for an adequate legal defense?

This leads to the question of economy. Most Libertarians would oppose higher budgets for the public defender's office or for defense counsel of choice. I think it's legitimate for taxpayers to pay for an adequate legal defense—wouldn't you want this policy in place if all of the state's resources were arrayed against you?

Since most defendants don't get a brilliant defense, it follows that their penalty shouldn't be final and irreversible.

Finally, there's the issue of protecting the public. The general public is protected either way. Imprisoned or dead, the felon is still ostracized. I favor imprisonment. Errors can't be remedied if the prisoner has been executed.

I believe it's important for Libertarians to oppose the death penalty. I've been trying to get this change made to our platform for the last 15 years, but it's always failed to receive the necessary two-thirds support of convention delegates (though it missed by only one vote a few years ago). ●

Ted Brown is an At-Large member of the Executive Committee and has chaired the Platform Committee. His email: TedBrown1776@hotmail.com.

■ News You Can Use

Meet & Greet for Fun & Fitness

by Norm "Firecracker" Westwell

A cursory glance around the typical Libertarian supper club or convention hall will confirm that we Libertarians sadly lag behind our fellow Californians when it comes to time in the gym. I suppose many of us are buried in our books, or before our computers, studying the American Constitution or Murray Rothbard or Natural Rights theory. That's important too, for we are the Party of Principle. But there's no reason we can't also have "fun in the sun" and work our way back to fitness and health, while simultaneously spreading liberty!

In 2002 I began a voter

registration drive to build our party. I recruited my wife, my brother's wife, and some of their friends. They were already avid walkers, doing it for health reasons. All of them agreed to carry and distribute registration cards during their exercise regimens.

I did so too—on roller blades!

Unlike densely populated eastern cities, California cities are mostly dispersed suburbs. Sparse populations spread over wide areas. Roller blading proved to be a highly efficient way to reach these voters. Not only did I get some much needed exercise, I was able to cover my territory twice as fast.

But apart from its efficiency in quickly covering a wide territory, roller blading was a great



• A firecracker on blades!

Our exercise team distributed over 26,000 flyers and registration cards

conversational ice-breaker. People wanted to meet me. They found my suit-and-tie on blades to be a quirky and engaging sight. Young people thought me hip. Everyone I met said "What a great idea!"

I told them that I was running for City Council—and that I had plenty of other great ideas. Campaigning on roller blades was a positive door-opener for me.

Altogether, our exercise team (me on my blades, my friends & family on foot patrol) distributed over 26,000 flyers and registration cards before we burned out. But we also burned lots of calories, while creating a permanent—and positive!—image in the minds of many voters. ●

In 2006 Norm "Firecracker" Westwell was elected to the Board of Trustees of the Ocean View School District. His email: NormW@ModernPublic.com.

■ News You Can Use

Meet & Greet for Maximum Effect

by John Briscoe
Elected Libertarian

Your best source of solid votes is personal, face-to-face contact with voters. Having the actual candidate appear on someone's doorstep is the ideal vote-getter, but campaign volunteers working on behalf of a candidate are almost as effective.

School board candidates seldom walk their district. Most voters have *never* had a school board representative knock on their door. That a candidate cared enough to come by and talk can be enough to cement the votes of most households.

Most school districts are too large for a candidate to personally canvass all the neighborhoods. Efficiency requires the use of candidate surrogates (volunteers) and effective identification of high propensity voting households. It's a waste of time to visit households that have not voted in past elections, even if they are registered. Prior non-voting is a strong indicator for future non-voting. Even so, always have your campaign associates and yourself appear to be accessible with immediate email, phone, and snail mail



contact information.

The typical direct, face-to-face voter contact will take three minutes, including time spent waiting for the voter to answer the doorbell. Assuming a 60 second "walk time" between homes, each direct house call will consume five minutes. A full eight-hour day thus yields 480 household contacts per day—*assuming anyone is home*. You're most likely to find voters at home during evening hours, say from 6:30 pm to 9:30 pm.

Use Volunteers

A candidate needs volunteers to help cover his district. However, because volunteers will not work as hard, or as long, as the candidate, *many* volunteers are required. Generally, no more than two hours of work can be expected from a volunteer each week.

Each volunteer should be assigned a small list of homes to visit, along with a simple list of instructions. But before assigning them your list of homes, ask your volunteer to call on fifteen good friends in the district.

Reading a script over the phone is okay, and should be followed up by a mailed campaign flyer, friend-to-friend. However, a personal visit to the friend, to ask for their vote and leave the flyer, is better.

Seek High Propensity Voters

You can purchase a list of high propensity voters for your area from professional database vendors—or obtain such a list, free of charge, from a friendly, local political party office. A high propensity voter is anyone who has voted in the past two elections; such a person is likely to vote again.

If volunteers are working *before* absentee ballots have been mailed, *all* registered Libertarians (or other targeted voters) should be door-knocked. If it's one week after absentee ballots have been mailed, eliminate all PAVs (Permanent Absentee Voters) from household visits.

Parse the list of voters to 30, and no more than 50, per volunteer.

Least effective is to knock on every door regardless of personal friendship or prior voting history.

Volunteer Preparation

Provide your volunteers with specific instructions, and a check-off list, so that they can confirm the work done. Volunteers need to know that you care enough about their work to check up with them. They will *respect* what you *inspect*. If the candidate never asks for confirmation of the work done, it is likely the work will not be finished.

Provide volunteers with a script to read when they contact voters. Include candidate name, ballot location, and date of election. Always ask for the voter's support, and if they will

vote for the candidate. End with a cheerful "thank you for your support."

Provide a simple list of concept statements that volunteers can use to explain what the candidate supports. These should match and reinforce campaign literature to be left behind with the voter.

Provide a script to read over the phone. ●

In 2006 John Briscoe was elected to the Board of Trustees of the Ocean View School District. He can provide sample scripts for interested Libertarians. Contact info at: Vote4Briscoe.com.

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■ Because Ideas Matter

Do NOT Criticize Me! When Copyright Claims Threaten Free Speech

Free speech and property rights are both libertarian principles—but what happens when they conflict? You want to criticize a minor media figure. Maybe you found an old magazine ad or photo that's now embarrassing to them. Or they came off as a fool on some radio or TV appearance. So you copy the ad, or upload an MP3 clip of their radio talk, to your website. Or you upload a video clip from their TV appearance to YouTube. All to illustrate the points you're critiquing. They can't sue you for honest criticism, right?

No—instead they sue you for copyright or trademark infringement. Not because you stole

sample in a musical parody, your free speech often depends on incorporating and referencing other people's creations into your own. The courts call it Fair Use, and strong legal precedents (founded on the First Amendment) protect this limited use of others' copyrighted material in your own work when done for expressive purposes.

Unfortunately, copyright owners often object to these uses and try to take them offline via the legal system. A copyright cease-and-desist letter to your webhost or ISP may be all it takes to make your online speech disappear from the Internet—even when the legal claims are transparently bogus.

In particular, copyright claimants are increasingly misusing the Digital Millennium Copyright Act (DMCA) to demand that material be immediately taken down *without providing any proof* of infringement. Service providers, fearful of monetary damages and legal hassles, often comply with these requests without checking them, despite the cost to free speech and individual rights.

The DMCA also jeopardizes anonymous speech; misusing the DMCA's subpoena power, copyright holders can attempt to unmask an Internet user's identity based on a *mere allegation* of infringement without filing an actual lawsuit or providing the user any Constitutional due process.

It's not just copyright law that gets misused. Trademark

owners also censor online critics by claiming that any domain name or website referencing their product is an infringement—even though the First Amendment protects commentary and criticism that uses trademarks.

Fortunately, the Electronic Frontier Foundation, a San

Francisco-based public interest group, protects online publishers' free expression by suing those who abuse intellectual property law—and defending their victims in court. This is a vital service, because unless intellectual property owners are held responsible when they try to subvert Fair Use and Free

Speech, the situation for online speech will only worsen. ●

The above article is adapted from material provided by the Electronic Frontier Foundation. To learn more about how the EFF is fighting to protect *your* speech, visit www.eff.org. Also visit the EFF's companion website: www.ChillingEffects.org.

"Journalism is printing what someone else does not want printed; everything else is public relations."

— George Orwell

Trademark owners also censor online critics by claiming that any domain name or website referencing their product is an infringement

anything of monetary value, but solely to silence your criticism. It happens every day.

Whether you're quoting someone on your blog, inserting clips of CNN into your own video news report, or using a song

■ Building the Party

San Francisco LP Leads War-Funding Protest

by Marc Joffe
LPC Member

San Francisco County LP members took the lead in organizing a protest against Iraq War funding outside Speaker Nancy Pelosi's office on March 19th. Coinciding with the 4th anniversary of the US invasion of Iraq, the demonstration attracted several hundred protesters and was aired live on Pacifica Radio's KPFA.

The protest drew endorsements from across the political spectrum. In addition to Libertarian organizers, Green Party activist Jim Dorenkott helped publicize the event and recruited four Green speakers.

Other speakers included Antiwar.com's Justin Raimondo, former Board of Supervisors President Matt Gonzalez, former diplomat Daniel Ellsberg (of *Pentagon Papers* fame) and Rabbi Michael Lerner of the Tikkun Community. Two military

Rally attracted several hundred protesters and was aired live on Pacifica Radio's KPFA

veterans, George Johnson and Sean O'Neill, also addressed the crowd. O'Neill had served in Iraq.

Music producer Jerry Gerber, learning of the protest from Voters for Peace, recruited musicians and singers for the protest. Bob Kozma from Democracy Action/Progressive Democrats of America was another supporter, although PDA did not officially endorse cutting off funds for the war. The San Francisco Labor Council also endorsed the rally and sent its Vice President, Howard Wallace, as a speaker.

Dr. Ann Roesler, of Military Families Speak Out, gave a poignant description of her son's mental state after returning from the Iraq theatre. Afterwards,

she and seven other MFSO speakers staged a civil disobedience action at Speaker Pelosi's office, where they were arrested.

Protest organizers had repeatedly asked Pelosi to send a speaker, but her office declined, instead providing a written statement that was unresponsive to protester demands.

SFLP member **Chris Madden** emceed the protest. LP organizers included **Francoise Fielding, Marcy Berry, Jeremy Linden, Phil Berg, Michael Edelstein, Catherine Swineford**, and this author. ●

Marc Joffe is a SFLP member. He is a technology manager at a large financial company and holds an MBA in Finance from NYU. His e-mail: JoffeMD@yahoo.com



• Chris Madden at SF Pride in 2005

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Bill Todd Newly Elected OC Chair



• Bill Todd addresses the convention prior to his win.

by Matthew Barnes
LPC Executive Committee

Pulling 65% of the votes, **Bill Todd** is the newly elected Chair of the Libertarian Party of Orange County. Incumbent officers were otherwise reelected at the LPOC convention, held on May 20 at South Coast Plaza's Karl Strauss Brewery.

Convention speakers included 2006 California LP gubernatorial candidate **Art Olivier**, 2008

presidential contender **Wayne "the millionaire libertarian" Root**, and **Steven Green** of the *Orange County Register*.

The LPOC convention enjoyed a record turnout, requiring that events be relocated to the restaurant's patio. ●



MATTHEW BARNES is Vice Chair of the San Bernardino County LP and an At-Large Member of the LPC's Executive Committee. E-mail: MBarnes@sbclp.org

Halsey

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government. "Before this play, I was one of those middle-of-the-road people who didn't seek information. Never felt very political. Had no idea about the extent of lies that the American public had been told to justify the war. I was blown away at what I learned."

Director Simon Levy based his play on Eliot Weinberger's "What I Heard About Iraq," an article reprinted in *What Happened Here: Bush Chronicles* (New Directions Publishing, 2005). Levy's play gathers the scattered bits of Iraqi news reporting from the past 17 years, juxtaposing the contradictory statements of American policymakers.

"I didn't know about the numbers of Iraqi casualties," said Halsey. "The military casualties, the lies leading up to the war, i.e. the WMDs, the use of depleted uranium in our bombs and bullets, the use of napalm, our administration's callous attitude toward rebuilding Iraq, the focus on money and oil, the extent of torture in Abu Ghraib, the destruction of Falluja. I don't have a solution as to how to withdraw our troops. All I know is that many innocent lives are lost every day, and every moment that we occupy Iraq the situation worsens."

Yet no one can accuse Halsey of not supporting or understanding our troops. She is "first cousin, three times removed" of Fleet Admiral Halsey, whom she describes as one of only four Fleet Admirals in US history.

"The Japanese surrendered on his ship in the Pacific," she said. "Paul McCartney wrote the song 'Uncle Albert' about him." Her grandfather and uncles also served in the Navy, and "would not be thrilled about this play. They'd call me a 'bleeding heart liberal.' However, this play is not political. It's about the cruel acts that we all commit against each other every day. That is what needs to stop."

"In doing this play, my life changed. I've taken responsibility for the situation in the country and our government and our actions overseas. I've started an activist group that meets once a month and discusses a variety of issues, such as the presidential candidates and their stances, the environment, L.A. water issues, and non-violent protest. We've worked with Planned Parenthood. And I will always be up for a peace rally."

Halsey may have inherited some of her activist fervor from her parents, whom she describes as former hippies. "My father protested the Vietnam War, but as he's gotten older, he's gotten more conservative. I was pretty conservative growing up, having adopted my father's politics."

Today both father and daughter are registered Libertarians.

Halsey doesn't hide her Libertarian affiliation in largely Democratic Hollywood, yet she finds few other Libertarians in the film community. She ascribes it to ignorance. "I do not think the majority of people are clear on what the Libertarian Party stands for. Next meeting [at her activist group], I'll do a short presentation on the Libertarian Party and their

■ Fallen Freedom Fighter

Medical Marijuana Hero Dies

Tod Hiro Mikuriya, MD, one of the world's foremost authorities on the therapeutic use of cannabis, died on Sunday, May 20, after a multi-year battle with cancer. He was 73-years-old.

Dr. Mikuriya spent more than four decades investigating the medical utility of pot, beginning with an appointment as the Director for Marijuana Research for the National Institute of Mental Health in 1967. In 1972, he published *Marijuana: Medical Papers 1839-1972*, a collection of essays documenting the historical use of medicinal cannabis in Western culture. He later became an outspoken advocate for marijuana law reform, and played a key role in persuading the California legislature to decriminalize pot possession in 1975.

Mikuriya gained prominence among modern marijuana activists by speaking in favor of the medical use of pot for a wide variety of psychosomatic indications, such as anxiety, depression, post-traumatic stress

stances on political and social issues. A lot of people don't know about it."

Halsey may be contacted through her manager, Steven Nash, at Arts & Letters Management: (323) 883-1070. She also has her own website: www.DarcyHalsey.com.

THOMAS M. SIPOS publishes the *HollywoodInvestigator.com*. This article is adapted from two interviews with the actress, conducted in November 2005 and May 2007.



• Dr. Tod Hiro Mikuriya accepts the Lester Grinspoon Award at NORML's 2006 conference in San Francisco

disorder, and alcoholism. Dr. Mikuriya was a co-author of California's Proposition 215 initiative, and is credited with drafting the language that authorizes physicians to recommend cannabis for "any other illness for which marijuana provides relief," a clause which remains unique to California's medical marijuana law.

After Proposition 215's passage in 1996, Dr. Mikuriya became one of the most prolific recommenders of medicinal cannabis—a stance that made him a frequent target of both

the California Medical Board and the federal government. In the decade since the law's enactment, Dr. Mikuriya recommended marijuana to an estimated 9,000 patients.

In 2006, Mikuriya was a recipient of NORML's "Lester Grinspoon Award for Outstanding Achievement in the Field of Marijuana Law Reform" in recognition of his life's work in support of the legalization of medicinal cannabis.

"Tod was a true pioneer of cannabis medicine," said California NORML coordinator Dale Gieringer. "At a time when its medical use had been abandoned, he rediscovered the forgotten medical literature on cannabis and agitated to restore it to the pharmacopoeia. Tod later campaigned to make this a reality by helping to draft Prop. 215, and after its passage, he went on to found the modern practice of cannabis medicine." ●

The above is reprinted courtesy of the National Organization for the Reform of Marijuana Laws. Their website is www.NORML.org.

A Pro-Defense Peace Symbol

by L. K. Samuels

LPC Executive Committee

Libertarianism supports defensive action when the nation is attacked, but otherwise advocates a neutralist/non-interventionist foreign policy. This makes the PorcuPeace a perfect *libertarian* peace symbol.

Porcupines lack huge claws or fangs to wage wars of aggression, yet their sharp quills provide a strong deterrent to predators. Thus, the classic peace sign nestled within a porcupine's quills perfectly blends the twin libertarian principles of self-defense and foreign non-intervention.



I designed the PorcuPeace for use by both the Libertarian Party and Libertarians for Peace (www.libertarians4peace.net). We libertarians in Monterey County had organized many peace rallies in 2006 and 2007, forming coalitions with other peace groups, but we didn't have a symbol of our own—until the

PorcuPeace. We've since placed the PorcuPeace on placards and buttons at our marches and rallies.

I invite other pro-defense/antiwar libertarians to use the PorcuPeace at their rallies. If you need help obtaining this design to place on your protest material, please contact me. ●

L. K. SAMUELS is an At-Large Member of the LPC's Executive Committee and is the Co-Chair of Libertarians for Peace of Monterey County. His email is LawSamz@hotmail.com.



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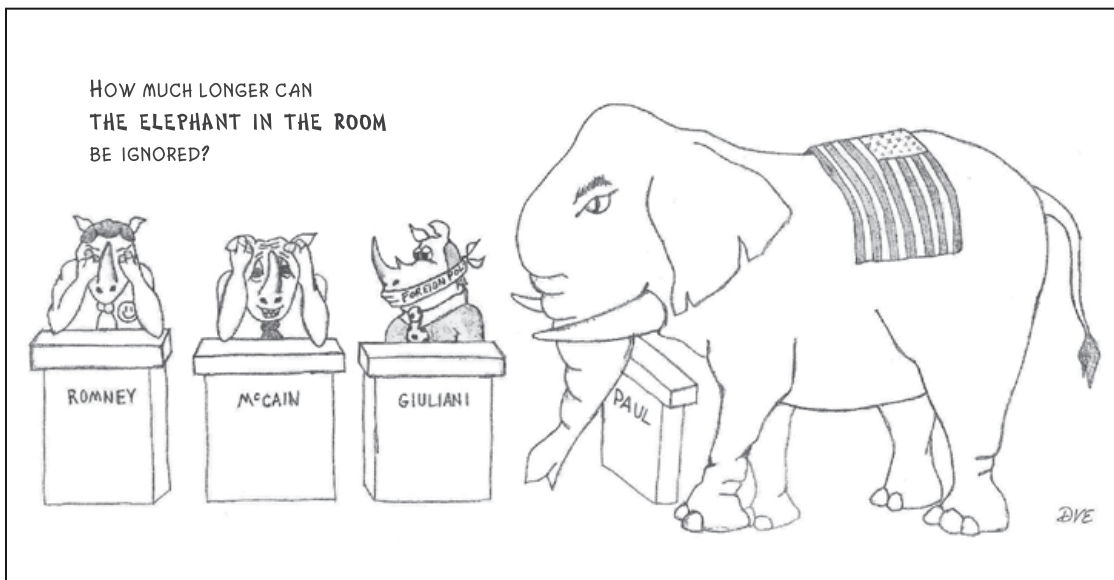
With so many Libertarians in California, this could yield several hundred Network transactions each year.

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Artist: Dale Everett

- Republican Congressman Ron Paul was the Libertarian Party's presidential candidate in 1988.

Measure A

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If an owner wanted to subdivide his land, he must submit to a county election and pay all expenses. County Supervisors could not make administrative changes without a countywide vote. Elections would determine what owners could do with their property.

Luckily, Measure A lost on June 5, 45% to 55%. Libertarians

played a key role in its defeat. We participated at press conferences, spoke on talk radio shows, were interviewed by TV stations, and put up lawn signs.

Anti-A campaign manager Andre Charles had previously worked with Santa Clara County libertarians to defeat a similar land-use initiative in 2006. ●

L. K. SAMUELS is an At-Large Member of the LPC's Executive Committee. His email: lawsamz@hotmail.com.

San Diego

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Anthony Knittel, Boyd Applegate, Dan Baehr, David Graham, Donna Orlando, and Michael Benoit were among the volunteers. A special thanks to each. ●



JESSE THOMAS is the San Diego LP's Membership Chair, and an At-Large member of the LPC's Executive Committee. He can be contacted by e-mail at jesse@thomasfor40.com.



- Dan Baehr and Boyd Applegate administer the Nolan Quiz at the Festival of the Arts in North Park on May 20.

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