

LIBERTY PLEDGE

Libertarian National Committee, Inc. ♦ 2600 Virginia Ave, NW, Suite 100
Washington DC 20037 ♦ Phone: (202) 333-0008 ♦ Fax: (202) 333-0072

August 2006

newsletter

Up Close with New Vice-Chair Chuck Moulton

Pennsylvania native Chuck Moulton was elected Vice-Chair of the Libertarian Party at this year's national convention in Portland, Oregon. Chuck has been a long-time party activist, having previously served as a LNC regional alternate. He currently serves as the Chair of the Libertarian Party of Pennsylvania in addition to his vice-chair duties.

We here at Liberty Pledge News have provided an up close look at the new Vice-Chair of the Libertarian Party.

Chuck was kind enough to answer a few questions.

When did you first join the party and what motivated you to become a Libertarian?

In 1996 I happened upon the Libertarian National Convention on C-SPAN early into the program and watched the whole thing. It became clear to me very quickly that I was a libertarian. When I turned 18 one year later I registered to vote as a Libertarian. While in college I first became a dues paying member and watched the 2000 National Convention on TV, but I didn't become involved as an activist until late 2002.

I was motivated to involvement as an activist because I was deeply concerned about out of control government spending and trashing of civil liberties I personally witnessed. In addition, I had decided it would be fun to run for U.S. Congress in 2004 when I turned 25 (the minimum age qualification). I figured it would take a couple years to network with local libertarian activists and learn how to run a proper campaign.

What made you want to run for the position of Vice-Chair of the Libertarian Party?

I served on the LNC as a regional alternate 2004-2006. Because the regional representative from my region (Jim Lark) was always in attendance, I only got a chance to vote when Jim stepped aside to let me introduce my own motions. Invariably the proposals I

championed failed 4-14 or worse even though the activists and state chairs I spoke with beforehand and afterwards thought they were good ideas. Similarly I found myself disagreeing with many key votes as I sat on the sidelines.

Halfway through the term I decided I would campaign for an At-Large position so I would have a vote the next term. In the process I wanted to get my ideas in front of the delegates to start a real debate about the direction of the LNC. Based on my experience at the 2004 National Convention, I didn't think people would pay much attention to what an At-Large candidate was saying. Therefore, I decided to run for LNC Chair, engage in a spirited debate about the issues, and drop down to run for At-Large after I inevitably lost.

I learned much to my surprise that four candidates announced for Chair: Mike Dixon, Bill Redpath, George Phillies, and Ernie Hancock. Given the large field, I feared my ideas would be overlooked. After much deliberation I determined the best course of action would be to run for Vice-Chair instead.

Tell us about yourself. E.g. profession, family life, educational background, etc.

I received a B.S. from Rochester Institute of Technology where I majored in mathematics, but took mostly computer science courses. This May I graduated from Villanova Law School. In the next few years I hope to attend graduate school in economics and get a MBA.

I interned at the Cato Institute earlier this year. Future career aspirations include working on Capitol Hill for a year or two (hopefully with a libertarian congressman); dabbling a bit in public interest law with the Institute for Justice, the ACLU, or the Electronic Frontier Foundation; and eventually becoming a small business owner.



Libertarian Has a Shot at DeLay's Seat

Despite desperate attempts by Republican politicians, events have unfolded recently in the hotly contested race for Texas' 22nd Congressional district, confirming that Libertarian Bob Smither remains a formidable candidate that neither party can afford to ignore.

As both influential local newspapers – including *The Houston Chronicle* and *The Austin American-Statesman* – and national news outlets – including *The New York Times* and *National Journal's* "House Race Hotline" – have taken note of Libertarian Bob Smither's indisputable impact on this race, both his Democratic and Republican opponents have made abrupt shifts in campaign strategy as they attempt to stave off Smither's momentum.

In addition, the *Washington Times* reported on former Congressman Bob Barr's endorsement of Smither.

Bob Smither is well known in Texas 22 for his long history of community service as co-founder the Laura Recovery Center for missing children. Shortly after election officials confirmed that only Libertarian Smither's name would face the Democratic former Congressman Nick Lampson on November's ballot, Lampson went on the air with commercials that seek to associate his name with those very same issues.

At an informal gathering of precinct chairs on August 17th, Tom DeLay, the scandal-tarred former Majority Whip who resigned in disgrace from representing this district earlier this year, felt the need to address local Republicans to counter support voiced by some Republican leaders for Bob Smither. The online community newspaper "Fort Bend Now" reported that DeLay told precinct leaders that Libertarian Smither is "a Lampson plant," insisting that Bob Smither's campaign is a stalking horse for the Democrat Lampson.

In fact, despite Tom DeLay's insinuation, Bob Smither and Nick Lampson have met only briefly in public when the two men were working as advocates for missing children. The fact that Libertarian Bob Smither has sought to coalesce support behind his candidacy for a head-to-head run against Lampson only

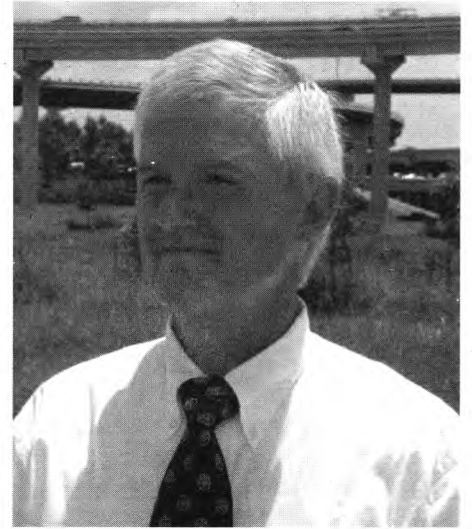
further refutes DeLay's scurrilous innuendo.

"Fort Bend Now" reports that Smither responded to DeLay's accusation with "I am telling you that is a vicious lie," a point which he confirmed to national Libertarian Party officials in a teleconference earlier

today. Smither also expressed his appreciation for the "multiple precinct chairs that have contacted me indicating some support," as well as thanking "those precinct chairs that chose to ignore Mr. DeLay's lie."

Republicans are trying to present a picture of unification following the "nomination" of Republican Shelley Sekula-Gibbs, but division is growing within their ranks. With a minimum of two Republican write-in campaigns and some Republicans clearly supporting Smither, local GOP unity is far from certain. An additional factor to be considered is the potential negative impact of being associated with or implicitly endorsed by Tom DeLay, who only received 60% of the Republican primary vote before his forced resignation.

Thanks to the uniquely favorable dynamics of this race, Bob Smither starts this campaign with a double-digit support base, an unusual position for a Libertarian candidate. Based on the analysis of political experts, the winner of this race may well win with only a plurality of the vote. This could add up to a virtual "perfect storm" which just might send Mr. Smither to Washington.



Have questions or concerns about your monthly pledge? Interested in increasing your monthly commitment? Need to update your address or credit card information for your monthly pledge? Contact April at pledge@lp.org or call her at (202) 333-0008 for assistance

Libertarians Celebrate Victory over Ohio Supreme Court Eminent Domain Decision

On July 26th, in an historic ruling, the Ohio Supreme Court unanimously held that the City of Norwood could not use eminent domain to take Carl and Joy Gamble's home of 35 years, as well as the rental home of Joe Horney and tutoring center owned by Matthew Burton and Sanae Ichikawa Burton, for private development—specifically, a complex of chain stores, condominiums and office space planned by millionaire developer Jeffrey Anderson and his Rookwood Partners.

Joe Horney, a Norwood home owner and small businessman who had fought the taking of his property, said, "It was long road to get to this point, but it was worth it. What really sits well with me is that this is good thing for every homeowner and small business owner in Ohio." Mr. Horney added, "I want to thank the Hamilton County Libertarian Party and the Libertarian Party of Ohio, both of which have stood with us since the beginning of this battle."

"Only the Libertarian Party and the libertarian lawyers at the Institute for Justice are working to defend these residents and homeowners nationwide," notes LPO Secretary Robert Butler. "It's been a long, hard fight, but we're very pleased to see the Ohio Supreme Court reject last year's infamous Kelo decision."

In a unanimous and lengthy decision, the Court laid out a series of important legal opinions. The Ohio Supreme Court explicitly rejected the U.S. Supreme Court's infamous Kelo decision of June 2005, in which that Court held that local governments can take property from one person and transfer it to another because the new owner might produce more taxes or more jobs than the current one—so-called "economic development." Second, the Ohio Supreme Court ruled that state courts must apply "heightened scrutiny" to uses of eminent domain, especially when the property is being taken for use by another private party; according to the Court, lower Ohio courts should not simply rubber-stamp decisions by local government to take property. Next, the Court held that statutes authorizing the

taking of property cannot be vague. The "deteriorating" standard used by Norwood "is a standardless standard," and the Court rejected it. Finally, the Court struck down Ohio's statute that allowed property to be taken even before an appeals court ruled that the taking was legal.

"This decision is a complete and total victory for Carl and Joy Gamble, Joe Horney, the Burtons and every home and business owner in the State of Ohio," said Institute for Justice Senior Attorney Dana Berliner, who argued the case before the Ohio Supreme Court.

"Our home is ours again!" exclaimed Joy Gamble. "The Ohio Supreme Court has stopped this piracy. Now all Ohioans are safe from the scourge of eminent domain for private profit."

"We haven't had the heart or the will to see our home of more than 35 years since the City and the developer forced us out and fenced it off, but I'm sure we'll be taking a ride back up there today. This is just terrific!"

Joy continued, "Our state Supreme Court did what the U.S. Supreme Court did not do; it protected our home. The Ohio Supreme Court protected small property owners from the overpowering and overbearing city governments and the greedy developers."

Joy added, "We stuck this fight out, but this victory would not have been possible without the Institute for Justice. We can't thank them enough for winning us back our home and our rights."

For the time being, Carl and Joy will remain in their newly rented apartment in Kentucky, on which they have a lease for the next six months. Joy concluded, "We're just going to let this decision settle in. But finally, our nightmare is over."

The title to Mr. Horney's home had been held by the developer, Rookwood Partners, pending the outcome of today's Supreme Court decision. Mr. Horney stated that it was his understanding that the title would be returned to him immediately.

The Kelo case has touched off a revolution not only in state supreme courts, like Ohio's, but in state legislatures throughout the country. Thus far, 30 state legislatures have passed laws giving greater protections for home and small business owners.

The Libertarian Party of Ohio and the Institute for Justice also contributed to this story.

LP Candidate Gives Missourians a Reason to Turn Out and Vote

Although he's unopposed for the Libertarian nomination for November, U.S. Senate candidate Frank Gilmour isn't taking a summer vacation.

Instead, he's revving up his campaign truck, ready launch a statewide "whistle stop" tour. Gilmour will make campaign stops around the Show Me State - including one at the Missouri state fair - urging voters to register their dissatisfaction with his opponents - sitting Republican Senator Jim Talent and Democratic state Auditor Claire McCaskill - by turning out and voting for him in Missouri's August primary election.

Missouri's primary ballot features very few seriously contested nomination fights in any party. Turn-out is expected to be low, but Libertarian Gilmour offers Missouri voters a reason to go to the polls: "I have been talking to a lot of people - both Democrats and Republicans - and they all share the same feelings about government and politicians: By and large, all agree that the two parties take their vote for granted and it does not matter who runs. The politicians represent themselves, not the voters.

"On August 8th, I'm giving you the opportunity to have your voice heard loud and clear - giving the career politicians something to think about...(A) vote for me in the August primary will send a clear message to the career politicians that Enough is Enough!"

"Often Libertarian candidates hear early in the campaign from voters and reporters that they are intrigued, but "I'm focused on the primary right now." However, Missouri does not require party registration, so voters of any political stripe may walk into the polls on primary day and request a Libertarian primary ballot.

Gilmour's tactic is a great way to keep attention focused on his Libertarian campaign during the primary season. Analysts and political strategists will look to see how many votes the Libertarian draws away from the Democratic or Republican primaries, or how many voters cast ballots in an LP primary that wouldn't have

otherwise voted.

And, the more votes Gilmour gets on primary day, the more attention and credibility his campaign will earn as he heads down the final stretch to November.

Gilmour's message to Missourians looking for a change is clear: "A vote for Frank Gilmour is the strongest statement you can make on August 8th."

Liberty Pledge News Welcomes New Pledgers

Thank you to all of our new and renewed pledgers for August. Your gifts allow the Libertarian Party to continue to put Libertarians into office and to continue the fight for liberty.

Timothy Raupp
Wayne R. Leach
Thomas Anspach
Scott E. Stafford
Roger Whitham
Kristopher Pockell
Joseph Esposito
Paul Adams
Jeffrey Shapiro
Andrew Loveless
Barbara H. Gordon
Michael P. Remington
Barry Beck
Maria S. Batty
John Lind
John Smith
Matthew E. Hays
David L. Ellis
Thomas J. Burlingame