

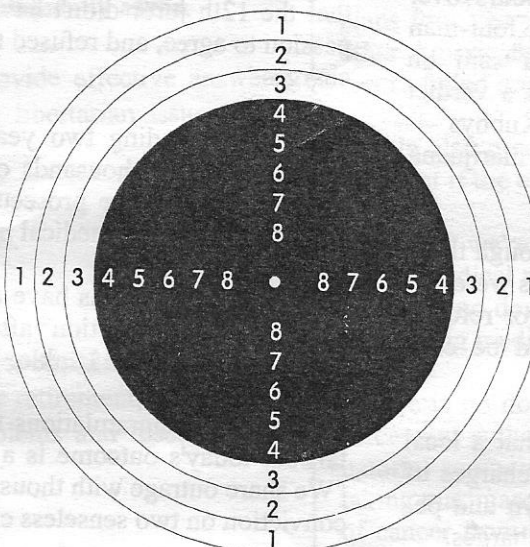
"Nothing great in the world has ever been accomplished without passion."
—G. W. F. Hegel



The Birmingham Libertarian

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CONCEALED CARRY REFORM

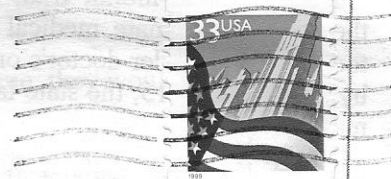
We will be having a roundtable discussion concerning legislative action on altering the concealed carry permits in Alabama. The discussion will be spearheaded by Jerry Vines. He has kept up with the issue and will be sharing what progress has been made on the act. There seems to be interest in the subject, with a letter sent by a local citizen to Sen. Bill Armistead. You may know that bills like this have died in the legislature for the last three years. Hopefully, with our support, it will pass.

The Greater Birmingham Libertarians

David Mitchell, Coordinator

2330 Highland Avenue

Birmingham, AL 35205



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Hung Jury Ends Kubby Medical Marijuana Trial

WASHINGTON, DC — The medical marijuana trial of Steve and Michele Kubby has ended in a mistrial after a "hopelessly deadlocked" jury voted 11-1 in favor of acquitting the former Libertarian Party gubernatorial candidate and his wife.

After deliberating for 21 hours over five days, the eight-woman, four-man jury in Auburn, California said on Thursday it could not reach a verdict on the most significant charges against the Kubbys — conspiracy, cultivation, and possession of marijuana with intent to sell.

After the trial, a jury spokesman said even though there was overwhelming consensus that the Kubbys were not guilty of the marijuana charges, one lone juror refused to agree, and "there was no way she could be convinced."

However, Steve Kubby was convicted of what a local newspaper called "comparably minor" drug charges of possession of a controlled substance, psilocyn and peyote. Michele Kubby was acquitted of those charges.

During the four-month trial, the Kubbys had argued they were legitimate medical marijuana patients who took the drug under doctor's orders, and were protected by Proposition 215, the state law that legalized medical marijuana.

"We stood and fought and defended the rights of sick people," said Steve Kubby after the trial. "We hope this [decision] creates a bright line for law enforcement."

Steve Kubby was the LP's gubernatorial candidate in California in 1998, and sought the party's vice presidential nomination in 2000. He also played a key role in Proposition 215, which was passed by voters in 1996. The 11 members of the jury who voted to acquit were apparently swayed by the so-called Oakland Guidelines. Written by the city of Oakland, the guidelines allow patients to grow up to 144 marijuana plants for medical reasons.

"The important thing is the jury upheld the Oakland Guidelines," said Steve Kubby. "Everything else is really superfluous."

Other California counties have more restrictive medical marijuana guidelines, and the failure to convict the Kubbys could convince them to reconsider those policies, said the Kubbys' lawyer, J. Tony Serra.

The mistrial decision was "mostly good news" for the medical marijuana movement, said Libertarian Party National Director Steve Dasbach.

"It's great news that 11 of 12 jurors voted in favor of medical marijuana, and voted against the government's effort to put sick people in jail," he said. "It's bad news that the 12th juror didn't have the good sense or compassion to agree, and refused to acquit the Kubbys of all charges."

"But after spending two years attacking the Kubbys, and hundreds of thousands of dollars on the trial, the hung jury will make prosecutors leery about arresting and charging future medical marijuana patients."

California Libertarians have a "mixture of elation, disappointment, and caution" after the Kubby mistrial, said LP State Chair Mark Hinkle.

"We extend congratulations to Michele for her acquittal, but today's outcome is a mixed blessing," he said. "We share outrage with thousands of others over Steve's conviction on two senseless charges."

"We are very pleased and encouraged that in a county as politically conservative as Placer — where Proposi-

(Continued on page 3)

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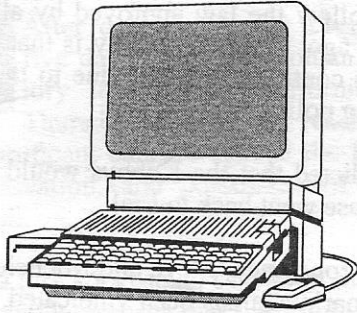
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Local Meetings, 2nd Monday of the month:
Jim 'N Nick's Bar-B-Q
220 Oxmoor Road
Just off I-65
942-3336

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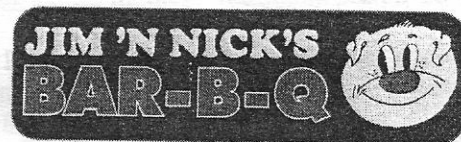
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NEWS OF THE WEIRD

According to an October report in the San Francisco Chronicle, the city's leading traffic-ticket scofflaw is Thomas Wehrer (250 tickets outstanding, totaling \$16,375), who is angry at the city's having changed its rules for collection. Previously, tickets were filed by vehicle so Wehrer would drive junk cars and abandon them with impunity. Recently, the city began filing tickets by owner, making it worthwhile to pursue Wehrer, who claims that's unfair, in that by having continued to register Wehrer's junkers, the city "enabled" his ticket-accumulation habit. (Wehrer also argues that he's a good citizen: Whenever he parks illegally beside a fire hydrant, he leaves the windows down so fire-fighters could run their hoses through the car.)

The Greater Birmingham Libertarian Supper Club is open to everyone. We discuss issues of the day, politics, taxes, and personal freedom. Meetings are held the second Monday of the month unless there is a holiday, when meetings are moved to the third Monday. We begin at 6:30 (dinner 6:45) unless otherwise noted. There is no charge to attend and contributions are gladly accepted. And of course, bring a friend. This month's meeting is being held at::



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220 Oxmoor Road

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942-3336

February's meeting on the 12th!

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