



New Jersey Libertarian

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Regional Convention Rocks!

By Len Flynn, *New Jersey Libertarian* Editor

On March 14-16, 2008 the state LP organizations of Pennsylvania and New Jersey held a regional convention in Malvern PA. The three-day regional convention was held at the Desmond Hotel Conference Center.

The convention activities began Friday evening with the Montgomery County hospitality suite. This provided an opportunity to meet the candidates running for the LP nomination for President plus the NJLP and LPPa members could socialize to discuss current issues. During this initial reception, I was able to take a number of pictures of the attendees.

Convention organizer for LPPa Jim Babb and his wife



Christina were busy welcoming the out-of-town guests, and their efforts assured that the reception was well stocked with local beer and plenty of snacks. NJLP attendees at the evening reception included retiring Treasurer Ken Chazotte, long time NJLP members Judy Schubert

and her daughter Susan, and Sussex County activist Tony Federici. Fresh from the fall campaign battles were Jason Scheurer, the "Clean and Fair Elections" qualified candidate for NJ Assembly in District #14, and attorney Walter Luers, who went to court when the election in that district was found to be anything but "clean and fair."

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Convention Meeting Report

By Sean Colon, NJLP Vice Chair

The convention was called to order at 9:20 AM. There was a quorum check and quorum was present. The agenda was reviewed and changes were made concerning the county caucuses and county committee reports being relocated.

Chair Lou Jasikoff reported that we had a successful year, had some good campaigns, and were looking forward to an even better year. The Vice Chair Lou Stefanelli reported similar sentiments. Secretary Sean Colon passed out the minutes of the last Steering Committee meeting (1/21/08) and made a report. At this point Lou Stefanelli made a motion to suspend the rules so an instant Steering Committee meeting could be held to approve the annual budget. (The planned 2/24/08 State Board meeting at Tumulty's could not occur because there was no quorum.) Without objection the "instant" meeting happened, then retiring Treasurer Ken Chazotte passed out the budget and he and Lou Stefanelli reported on the current status of the bank account.

New Business consisted of two rival bylaws proposals concerning At-Large Steering Committee members by petition. Jay Edgar's motion Bylaws Amendment was introduced and Len Flynn introduced a substitute Amendment. After discussion Len's proposal lost by a vote of 6 to 13. Jay's original Amendment then passed by a vote of 17 to 2. Two non-controversial Business Rule changes were presented by Jay Edgar and they unanimously passed.

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Judy Schubert and Ken Chazotte



Jason Schuerer and Walter Luers



Tony Federici and Ken Chazotte



The NJLP Editor's camera captured five of the LP Presidential candidates at the reception. Easy to recognize was Christine Smith, who happily greeted 2004 LP Presidential Candidate Michael Badnarik when she entered the suite.



Christina & James Babb, Barry Dively, and Wayne A. Root

LPPa Chair Michael "Mik" Robertson and Pennsylvania activist Barry Dively warmly greeted the candidates and the convention attendees and made everyone feel welcome. Michael Jingoizian and Wayne Allyn Root both enjoyed the attention of the LPPa leaders.



Michael "Mik" Robertson and Michael Jingoizian

No candidates were bashful, Bob Jackson and George Phillies both mixed smoothly with the LPPa and NJLP members.

Bob Jackson
and
Jason Scheurer



George Phillies and
Susan Schubert



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The next morning the NJLP held its annual convention meeting. (See report by Sean Colon on page 1.) In the afternoon a dual program of campaign workshops and presentations by the presidential candidates took place. I listened to 2004 LP presidential candidate Michael Badnarik at his "Running for Office" workshop describe the need for "time, treasurer, and talent" for any campaign. At 1:45 PM I left the workshops to hear some presidential candidates. Wayne Allyn Root emphasized his immediate impact and support he had gained before the convention. He noted that his full attention is now on the nomination effort.

I then heard Michael Jingoian who emphasized experience with innovative interactive Internet advertisers to support his

campaign effort. Jingoian said he was popular with the Greens and was criticized for this by some libertarians. He concluded that gaining 5 percent of the vote would provide a "crack in the door" to build a future for the party.

Christine Smith next spoke about her campaign. She claimed the ability to reach out to minorities and poor people in contrast to her opponents who are "white men talking to white men" primarily. In response to the question about a "wasted vote" for non-Demopublican candidates, she said that 50 percent of people don't vote anyhow and that to "be a voter of conscience and integrity, then your vote is not wasted."

Candidate Debate



(L-R) Christine Smith, Wayne Allyn Root, George Phillies, Bob Mills, Walter Link, Michael Jingoian, Bob Jackson, Daniel Imperato, Jim Burns

At 3:20 PM the Candidate Debate started. The debate had LPPa. member Ken Krawchuk as the moderator and he announced Michael Badnarik as the "Panel of Expert" for the debate. The NJLP contributed the timer Derek DiMarco and another recruit, Maria Marinaccio, who gathered written questions from the audience. The debate had a total of nine candidates, including several who had not previously participated in the program. The candidates were Jim Burns, Daniel Imperato, Bob Jackson, Michael Jingoian, Alden (Walter) Link, Robert Milnes, George Phillies, Wayne Allyn Root, and Christine Smith.

One innovation for this debate was the addition of two "30" slips provided to each of the candidates, giving them 30 additional seconds to speak in response to another candidate's answer. Each candidate could exchange their "30" slip at any time during the debate. Another innovation was the use of the audience to enforce time limits on the speakers. When a speaker was out of time, the audience was cued to applaud. This was a polite but effective way to encourage a speaker to stop. This report contains some interesting points heard during the afternoon debate. For an online recording of the entire

debate visit the LPPa website at:
<http://libpenn.blogspot.com/2008/03/lppanjlp-libertarian-candidate-debate-3.html>

The first question after opening statements was from Michael Badnarik, who asked "How has the Ron Paul campaign affected the LP—did it help or hurt?" Jingoian replied that half the inquiries to his web site were from Ron Paul campaigners. Root said he was a "big fan" of Ron Paul and considered himself and Ron to both be anti-politicians. Smith stated that she went to New Hampshire to speak for Ron Paul. She felt that Ron Paul had done more for freedom than any other politician.

Krawchuk next asked for the response to the typical reporter question: "What is a libertarian?"

George Phillies said to get government out of your gun cabinet/bedroom/medicine cabinet. Jackson replied: "smaller government, personal freedom, responsibility for one's actions, and fiscal responsibility." That is the American way

and it can restore the country. Smith said that libertarians are devoted to individual liberty and personal freedom—with **no exceptions** (her emphasis)

The moderator asked family-oriented questions in a “lightning round”—namely where are you from and tell us about your family and their influence? Jingoian is from Portland, Oregon and has a wife and two children and he’s concerned about his family’s future. Link has been married for 48 years and has lived continuously in Brooklyn NY. Mills spent his entire life in Camden, NJ where he resides with five cats and members of his family nearby. Phillies hails from Massachusetts and he considers his students to be his “hundreds of children.” Root has four children ranging in age from his 15-year-old daughter to a new baby, and he has had the same wife for 17 years, which he calls “a Las Vegas record.” He comes from Nevada where there’s no income or sales taxes, but has legalized gambling and prostitution. Smith was born in the South but now lives in Colorado. She says her biggest influence was her father, a former professional chess player, who told her she could be anything she wanted. Imperato was born in Boston but now lives in Palm Beach FL with his wife and his 27-year-old stepson. Jackson mentioned his three grown sons and his wife with a Master’s Degree in English who teaches in an urban school. Jackson now resides in Michigan.

Badnarik asked his second question: after Denver what are you going to do to unite the party? Root responded that he would unite the party by being a winner—you need a plan and his plan was to go after 23 million small-business men and women, 12 million online gamblers and poker enthusiasts, and 4 million home schoolers.

Ken Krawchuk next read a question from the audience. The question was do the candidates have something in their past that surely would be exposed during the campaign and might be embarrassing? Jim Burns confessed “I was a Republican.” He legally changed his middle name to “Libertarian” so that Libertarian would be on the ballot! Burns also mentioned that he had spent time in jail for failure to file income tax. (The audience spontaneously applauded.) Turning in one of his 30 second slips he later added this confession: “In the ‘60s, I inhaled.” (More applause) Jingoian said that he has become an Internet “cult figure.” He has a child outside of marriage from a previous relationship, and the mother is campaigning with him. Finally, he noted “I never exhaled.” Phillies, Root, Imperato, and Jackson said they were all drug-free folks. Root emphasized, however, that this makes him a perfect candidate to advocate the end of drug prohibition. Smith mentioned that she was asked on a talk show whether she was “living in sin.” She replied, “Yes, and I’m enjoying every minute of it.” Link mentioned that he once connected to a water line improperly and got arrested. He was fined considerably for his transgression of water department rules.

Michael Badnarik asked his third question: “What makes you different from other candidates?” Phillies said he was already running an active campaign with volunteers, so his nomination would simply accelerate an organization already in place. Root

said “I get national media.” Again he stated his plan to go after 23 million small-business owners, 12 million online gamblers, and 4 million home schoolers. Smith said she raised more money than the other candidates, if you consider individual contributions not contributions from the candidates themselves. She said “image is important” and that “I can do something that these men can’t do.” She took a “30” slip to state that she wanted to debate Hillary Clinton because “I’ll destroy that woman!” Jackson said he has world trade experience and political experience/success creating jobs. Jingoian mentioned his AngelVision interactive media company and said that “nobody understands the media like we do.”

Ken Krawchuk asked the candidates if anyone had a detailed budget for the federal government. Jim Burns immediately responded affirmatively with a “zero.” Ken tried to sneak in a quick question about the 9-11 attacks seeking opinions whether the government was “involved.” The candidates made it clear that this sort of question required extensive discussion, particularly to distinguish between “participation” or “awareness” or “provocation” and whether one or more could be considered as being “involved.”

The debate concluded on time and few members of the audience left early. Convention Co-Chairs James Babb and Lou Jasikoff had put together this program as the highlight of the regional convention, and this expectation was fulfilled.

Convention Dinner and Speakers

I was fortunate to be invited to attend the Saturday evening program at the regional convention including the tasty and well-prepared convention banquet. There were presentations by Bill Redpath, the National Chair of the LP, and the concluding fundraiser by Michael Badnarik, where the NJLP gained \$2,000 as our state’s share of the collected donations.

In between the other speakers, we heard a speech from Murray Sabrin, the Ron Paul Republican running for the nomination for U.S. Senate on the Republican Party ticket. The Libertarian audience was most receptive to his campaign slogan of “Legalize Freedom.”



Lou Jasikoff and Murray Sabrin

The keynote speaker for the regional convention was longtime Libertarian activist Don Ernsberger. Don described his forty-year odyssey from Barry Goldwater to Ron Paul. He started his political activism in 1964 when he was only 16 years old. He couldn't even vote, but he supported Barry Goldwater.

Don is one of the pioneers in the modern libertarian movement



because he founded a libertarian caucus within the Young Americans for Freedom in 1968 and split with YAF to co-found with his friend Dave Walter the Society for Individual Liberty in 1969. Don is also one of the co-founder's of the Libertarian Party and was a member of the LP national committee and an activist in

the party from 1972 through 1996. Don is 60 years old now and he currently serves as Chief of Staff for Congressman Dana Rohrabacher (46th District, CA) and he is running for delegate to the Republican National Convention, where he will cast his vote for Ron Paul. Despite his current affiliation with a conservative Republican, Don did not renounce his allegiance to the LP. Don said the Libertarian Party is the "only place to go" if you support individual liberty and the free market. Don has kept his ponytail, because it shows he is not a Republican conservative.

Don's keynote speech was a long tale about nausea and unease when he was going to Norristown PA recently with his wife Louise. He described flashbacks to political activities during his career as he traveled to their destination. Although they had wrestled with the difficulty of what they were about to undertake, he and Louise were committed to completing their task. Don teased the audience during the speech and he finally disclosed the great effort they were undertaking was to go to the Pennsylvania voter registration office to change their registration to Republican. Now Don is a delegate for Ron Paul and he looks forward to invading the Republican National Convention to help Dr. Paul defend the Libertarian agenda. Don noted that both Republican and Democratic parties are enemies of liberty who promote more war and more bankruptcy and Don vowed never again to register as anything but "Libertarian." But for this brief time interval Don and Louise had to be registered Republicans in order to support Ron Paul—as did this writer and his wife, who did likewise.

Special thanks for Judy Schubert and Walter Luers for their generous assistance in helping this reporter cover the regional convention while limiting expenses for the NJLP. The banquet was not primarily for older members. Newly-elected NJLP Steering Committee members Paul Tahan and Derek Demarco were present for the festivities.



Paul Tahan and Derek Demarco

Convention Meeting Report

By Sean Colon, NJLP Vice Chair

Continued from page 1

Steering Committee elections were held with these results. Lou Jasikoff was reelected Chair. Sean Colon was elected Vice Chair. Paul Tahan was elected Secretary and Kevin Ferrizzi was elected Treasurer. Derek Demarco, Ken Kaplan, and Jason Scheurer were elected as Members-At-Large.

The County Caucuses were then held at 10:55 and these elections were recorded. Jay Edgar was elected Chair of Monmouth County, Dr. John Taylor was Vice Chair, Ginny Flynn was Treasurer, and Len Flynn was chosen to be the Monmouth County Representative to the State Board. Kevin Ferrizzi was elected Chair of Gloucester County.

Sean Colon was elected Chair of Somerset/Union/Middlesex and those counties chose to remain affiliated as the "Libertarian Party of Central New Jersey" (LPCNJ). Frank Warren was elected LPCNJ Vice Char and also County Rep for Somerset.

Mercer County convention delegate Ray Cragle presented a report of his county's caucus. Mercer County's lineup is State Board Representative: Ken Bireta, Chair: Ray Cragle, Vice-chair: Ken Bireta, Treasurer: David Trend, Recording Secretary: Ken Bireta, Corresponding Secretary: David Trend, and Webmaster: Ken Bireta.

Discussion about NJLP committees encouraged NJLP members to join them. The Bylaws Committee and the Platform Committee were mentioned as two committees for whom new recruits might be helpful. A proposed new business rule to require submission of Bylaws Amendments through at least two NJLP committees was referred to the Bylaws Committee for consideration

No candidates were nominated at the convention. Candidate recruitment was brought up by Len as a project that must be followed through on so that during this election year we will have Libertarians on the ballot. The Steering Committee is authorized to approve NJLP candidates following the annual convention. The filing deadline for Congress and U.S. Senate candidates is June 3, 2008.

Delegates to the National LP Convention in Denver on Memorial Day weekend were chosen. They are: Sean Colon, John Taylor, Walter Luers, Leonard Flynn, Tony Federici, Lou Jasikoff, Ken Kaplan, Dan Karlan, and Jason Scheurer.

Lou Jasikoff recognized Dr. John Taylor for his being reelected to the Highlands School Board. The next NJLP Steering meeting was a conference call set for April 20, 2008. The membership meeting adjourned at about 11:20 AM.

Paff and OPRA Progress

Favorable decision: Paff v. Washington (Robbinsville)

On March 14, 2008 Mercer County Assignment Judge Linda Feinberg issued a 25-page decision today in John Paff's Open Public Meetings Act lawsuit against Robbinsville Township (formerly known as Washington Township). The court found in John's favor on the main issue--whether the Meetings Act permits public bodies to meet in executive session with adverse parties to contract negotiations. Judge Feinberg a) entered a declaratory ruling that such meetings were not proper and b) issued an injunction to prevent the Township Council from privately meeting with contract vendors in the future. (The vendor was Joseph DiBella, who sells insurance and also serves as Mayor of Howell Township in Monmouth County.)

The second count of Paff's complaint argued that since the parts of the Council's private meeting where the vendor was present should have never occurred in private, the minutes of those parts of the meeting never should have been redacted. The court ruled that this claim was mooted because the Township did provide unredacted minutes prior to John filing the complaint.

Finally, the issue of whether the Township has to pay his court costs will be decided later.

Two newspapers published articles about the case. According to Ryan Tracy writing in *The Times* for Friday, March 14, 2008 The Township Council violated the Open Public Meetings Act in 2006 when it allowed an insurance contractor to pitch his services to the township during a private session. The article continued that John Paff, an open government advocate for the New Jersey Libertarian Party, filed a lawsuit against the township council last year after uncovering the closed-door discussions between Joseph DiBella, a vice president for Cherry Hill-based Commerce Bank Insurance Services, and Robbinsville officials, including Mayor Dave Fried and council members. During the discussions, DiBella offered to reduce his company's commission in return for a longer contract.

Paff was quoted. "It doesn't make any sense to have the contractor in the room with you," said Paff, who represented

himself in the lawsuit. "If he's in your room, the only person you're keeping out in the dark is the public."

An article by Michelle Gladden in the March 15 *Asbury Park Press* mentioned the ruling. Judge Linda R. Feinberg, sitting in Trenton, ruled on a lawsuit filed by John Paff of Franklin Township (Somerset County). Paff, chairman of the state Libertarian Party's Open Government Advocacy Project, contended DiBella's presence as a private consultant during a Washington council executive session in September violated the so-called Sunshine Law.

Paff was quoted as saying, "the case was not about DiBella but was an effort to correct what may be a widespread practice by municipalities." Paff cited at least three similar cases in which judges across the state upheld the decision that vendors should not be meeting with governing bodies during executive sessions. "To me, it was clear that this wasn't something that should be done," Paff said. "You can't take vendors into (executive session). The only people that are being kept in the dark are the citizens, and you can't have an effective electoral system without the citizens having access to information."

West Milford to Repeal Loitering Ordinance

The *Suburban Trends* newspaper published a lengthy article in the March 19, 2008 paper regarding the NJLP's two-year effort to have West Milford Township (Passaic County) repeal its loitering ordinance. The article has the 4 column headline that reads **Libertarians successful in getting towns' loitering statutes removed** and it quotes John Paff: "The repeal is the result of a two-year effort by the New Jersey Libertarian Party (NJLP)." The article continued to quote John, as he explained "The Libertarian Party opposes this (anti-loitering) ordinance because it does not define a 'real crime,' for example, one where there is an identifiable victim," said Paff "but rather provides police with a mechanism to arrest, harass or disperse persons" Anti-loitering laws have been unconstitutional for nine years!

Atlantic City official paying OPRA fine "dismissed with a chuckle."

Apparently, Atlantic City's administrator finds it amusing that people might expect the city to follow its own ordinances and require the city official who improperly denied public records to pay the resulting fines and attorneys' fees. According to a town ordinance, that is in fact the law in Atlantic City. The case began in December and January, when the *Press of Atlantic City* requested documents from the city regarding the \$34 million settlement it made Nov. 1 on several property-tax appeals filed by Donald Trump's casinos. According to OPRA, the city must provide the information within seven days or give a reason why it cannot be made public. When the information was not forthcoming, the newspaper filed suit.

Superior Court Judge Steven Perskie fined the city \$1,000 for each of three violations of the Open Public Records Act and ordered it to pay *The Press* \$6,845 in legal fees and court costs.

City Business Administrator Carol Fredericks, who was anonymously [not so!—It was John Paff who notified the city administrator and sent the statute!] notified after Perskie's ruling and referred it to the legal department. According to *Press of Atlantic City* Staff Writer Michael Clark, "Fredericks dismissed the resolution" on Wednesday March 19 "with a chuckle."

"I don't think you can do that," Fredericks said. "You can have any law you want or pass any ordinance you want, but whether it is enforceable or not is a different issue."

OPRA, however, passed in 2002, reserves the right to individually penalize those who are "knowing and willful" in violating the act. The state's Government Records Council, created to resolve disputes between the public and agencies over contested documents, has only levied two fines to date.

As the *Press* noted in the introduction to the article "A gaffe by a city worker ultimately leads to a lawsuit. It happens all the time. And if you've ever been to a meeting of local government anywhere, you would have likely heard at least one resident moaning about a hefty settlement or court ruling being thrust upon the taxpayers. Why should they pay it? It wasn't the taxpayer who made the mistake, they argue. Charge the responsible employee."

Burlington Prosecutor lends a helping hand

By John Paff, Chair
NJLP Open Advocacy Project
April 7, 2008

My months of appealing to the Burlington County Prosecutor's office for help enforcing the Open Public Meetings Act (OPMA) appear to have paid off. I learned today that on March 18, 2008, Burlington County Prosecutor Robert D. Bernardi sent a letter to at least some (and hopefully all) municipalities in Burlington County "strongly suggest[ing]" that they review the OPMA, and advising them that "full and complete compliance with all provisions of the OPMA is absolutely necessary to avoid the possibility of monetary sanctions [and] . . . to continue to maintain the public trust."

Prosecutor Bernardi's March 18, 2008 letter, together with the correspondence that led up to it, are on-line at:
<http://www.lpcnj.org/OGTF/MtHollyMUA1.pdf>

Future Meetings & Events

Wednesday, May 23 – *Tentative* NJLP State Board meeting by conference call starting at 7:00 PM

Tuesday, June 3 – Petition filing deadline for NJLP candidates for General Election (except President)

Members Write to Newspapers

Healthcare debate bait-and-switch

By Chris Wuestefeld, submitted in response to a *Star-Ledger* front page article on March 16, 2008

It's worth having a discussion about the merits of providing healthcare for those unserved by traditional channels. This seems to be the promise of the March 16 article "Universal health plan: 'This is the moment'". What it delivers is a dishonest diversion in a different direction.

The article quotes Sen. Vitale's concern over residents' "fear they will lose" their health insurance, but veers off course suggesting "residents would be required to prove they have medical insurance". Assemblyman Cohen acknowledges that the targets are a "captive audience". What is now on the table is forcing all residents -- even those lucky enough to be twenty years old, healthy, without responsibilities -- to purchase insurance under penalty of the law.

There is a world of difference between having access and being forced to purchase something regardless of your needs. This is not just splitting hairs. A current effort targets 50,000 children for coverage, yet only 14 have been enrolled; it's clear that this is unwanted.

People are diverse, holding different values, while the lawmakers try to force all into the same mold. For some, healthcare is not at the top of their priorities. For others a government-mandated plan can't meet the needs.

It never ceases to amaze me

By Mark Richards, Guest Contributor

World War II has been over for more than 62 years now, but it never ceases to amaze me how that conflict continues to be "protected" event in history that you must never question or subject to any serious scrutiny. The recent letter by Neil Grieco attacking a previous letter by me as a case in point.

It seems fairly obvious to me that Mr. Grieco has never read the thoughts or views of America's founders like George Washington, Thomas Jefferson or Benjamin Franklin, all of whom warned over and over again to avoid foreign wars, alliances and entanglements.

His argument is apparently based on the premise that America and its citizens exist for the sole purpose of being the world's "moral policeman," ready to do battle with any nation that isn't living up to our expectations. Since that can be any country at any time, I guess we better be prepared for an unending war! Somehow I don't think the previously mentioned founders of our Constitutional Republic would approve of that scenario.

Let's review some of Mr. Grieco's claims. He says that Japan began building at Pacific empire as early as 1904. Weren't they only copying the British, French, Portuguese and Dutch, all of whom had colonialist and imperialist holdings in Asia? Maybe it's only offensive to Mr. Grieco when Asians want empire and not when the Europeans have them!

This reference toward glorious allies in World War II as being "peace loving" brought a smile to my face. Does he mean the Communists in the Soviet Union under Josef Stalin and were the Communist guerrillas in China led by Mao Tse-tung? Rough estimates (we'll never know the exact number, I'm sure) have the number of victims of Communism in the USSR and China at about 60 million dead.

As for the German attacks on the U.S. merchant fleet and Navy destroyers in 1941, prior to our "official involvement,"

he left out the fact that those cargo ships were carrying war material to Britain, Germany's enemy, and the destroyers were along for protection of these convoys across the Atlantic.

Just for the record, Britain and France declared war on Germany in 1939, not the reverse! (And please don't trot out the old line that they declared war on Germany to support Poland. The Soviet Union also invaded Poland in 1939, yet Britain and France did not declare war on it.)

In sum, World War II was not a noble crusade between "good" and evil "evil" (all the participants—yes, that includes the U.S. too—had blood on their hands). It was rather a struggle between different forms of a collectivist ideology and philosophy. You had fascism and National Socialism on one side and communism and various types of socialism in Britain, France and Roosevelt's "New Deal" America on the other side. No one was fighting for individualism, private property rights or true free market (unsubsidized) capitalism at all....

Considering the groundswell of support that the libertarian oriented Ron Paul is getting in his candidacy for president, I'd like I'd say more than a few people are interested in libertarian message of non-interventionism abroad and limited government and civil liberties here at home

Mark Richards is a West Milford resident

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