New Jersey Libertarian

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Chair's Message

The New Jersey Libertarian Party needs YOU to run for office in 2015! The NJLP is not comprised of scripted career politicians. We are regular working people volunteering our time and energy so our children can live in freedom and peace. If we can do this so can you!

Now is the time to capitalize on the explosion of interest in the Libertarian Party. We're especially looking for candidates to run on the local level for town council, school board and county Freeholder. These local races allow us to interject real issues such as property taxes, education reform and municipal over-regulation.

Our party is already having an incredible impact but we need you to take our organization to the next level. We have the answers for the problems of unemployment, taxes, and tyranny that burden our families and communities. It's up to us to be the change we want to see in the world.

We can fix New Jersey but we need your help. When you run for office you will be shocked by how many of your neighbors are in complete agreement with our libertarian principles.

It's time to take this movement into overdrive and get our hands dirty spreading the message of liberty. The future is up to us. Please consider running for office, email chair@njlp.org for more information.

We are the fastest growing party in New Jersey for a reason. It isn't because we have the most money or the most powerful political connections. It's because we're fighting for the freedom and dignity of ALL New Jerseyans.

Join us today. We're just getting started. See you at our convention.

Patrick McKnight Chair, NJ Libertarian Party

Convention Announcement

By Jay Edgar

Our annual convention planning is well underway. Set aside March 21st to join me and other lovers of liberty at the Tavern on the Lake in Hightstown, NJ. Registration can be done online at njlp.org/convention or by using the form at the end of this newsletter.

The convention will begin with light refreshments at 8:30 AM and our business meeting starting at 9:00 AM. During our business meeting we will be electing a new State Board, selecting candidates for public office, and voting on proposed platform changes. In accordance with our bylaws, the proposed changes are published beginning on page 2 of this newsletter. There will be a noon luncheon followed by an afternoon full of great speakers.

Speakers include:

Dr. Jerome Huyler, A Country In Crisis: A timely talk for a troubled time. Dr. Huyler is an Assistant Professor at Seton Hall and an author.

Hesham El Meligy, What is it with Islam and Muslims? Mr. El Meligy is a co-founder of Muslims for Liberty and was the 2013 nominee for NYC Comptroller. He is an expert on the Middle East and Muslim world and a political analyst.

James Kaleda is a libertarian and outspoken gun rights activist. He performs marketing and sales to the

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firearms industry. In 2013 he was forcibly removed from a NJ Legislative hearing on gun control.

Derrick J. Freeman is best known from his documentary, *Derrick J's Victimless Crime Spree*. Originally from Berlin, NJ he is now a Free State mover. He is a radio personality on several freedom oriented radio shows and podcasts.

Michael Chazukow is a board member of NJ's National Organization for the Reform of Marijuana Laws serving as their Outreach Directory. He is the founding President of the RCNJ chapter of the National Organization for the Reform of Marijuana Laws (NORML). He is also the owner of clothing store, Hemp Heaven, in Pompton Plains.

James Babb has been called the most effective libertarian in the nation by James Bovard. His website, <u>juryrightsproject.com</u>, details the rights of jurors and the history of jury nullification. ◆

Platform Committee Presents Proposals

By Platform Committee

The platform committee of 2014-2015 consisted of Liz Macron (Committee Chair), Kyler Dineen, Patrick McKnight, Jay Edgar, Dan Karlan, Marc Carcanague, Jim Tosone, Bill Sihr, Justin Quinn, Jim Gawron, Dorit Goikhman, and Sean Riggs.

Below are the proposals as approved by the committee. These proposals shall be voted on by the delegates attending our upcoming Convention.

<u>Proposal #1. Plank 6 Education Transition statement change</u>

Rationale for change:

The transition section should propose a solution that is politically feasible in today's political environment. The current suggestion having government schools "sold to private or non-profit enterprises" is not feasible as a transition. Technology changes provide much greater options for education than ever before. As a result of this and societal changes there are more educational options available than when the platform was last updated.

Proposed Change: Replace entire transition from:

Transition: All school-related taxes should be gradually repealed starting with the taxes on those without children or those whose children are in private school or no longer in school. We endorse dollar-for-dollar tax credits for any contribution to a recognized school. We also call for the repeal of the "thorough and efficient" provision

of the New Jersey Constitution (Article VIII, Section IV, Paragraph 1).

Public schools should be sold to private or non-profit enterprises, including, if they wish, teachers or associations of teachers. Restriction and regulation of home schooling should be removed.

Change to:

Transition: Education choice should be given to parents and children, encouraging schools to compete with each other. We support ending the government monopoly on education by allowing parents and taxpayers more choices where education tax money is spent and where and how their children are educated. School voucher programs, education tax credits, or charitable tax incentives should be used to encourage a free market in education.

All school-related taxes should be gradually repealed starting with the taxes on those without children or those whose children are in private school or no longer in school. We endorse dollar-for-dollar tax credits for any contribution to a recognized school. We also call for the repeal of the "thorough and efficient" provision of the New Jersey Constitution (Article VIII, Section IV, Paragraph 1).

Furthermore we encourage parents to consider all educational alternatives to government schools. Technology today provides parents with low cost ways of providing a better education. Despite the education monopoly, alternatives to the old model of schooling have become widely available. The Internet and the formation of home school cooperatives allow for alternatives like homeschooling and self-directed learning. Restriction and regulation of home schooling should be removed.

Committee Recommendation: The Platform Committee voted 6 to 1 in support of this change.

Proposal #2. Plank 2 Protection of Privacy and Contract

Rationale for change:

The statement is incomplete in that it doesn't include contractors, clients, or other business relationships.

Proposed Change: Change last sentence of Transition Section from:

We further oppose government requiring employers to collect information and report on their employees.

Change to:

We further oppose government requiring employers to collect information and report on their employees and/or business associates.

Committee Recommendation: The Platform Committee voted 7 to 0 in support of this change.

Proposal #3. Update I Plank 7 Discrimination Principle/Solution Statement

Rationale for change: According to recent statistics by the Pew Research Center, Americans are even more progovernmental discrimination protections in the private industry than one would assume, especially in regards to hiring practices. With this in mind, it's important that we affirm our opposition to government-sponsored discrimination in addition to our non-intervention in private discrimination within our platform. Our present Solution only addresses the latter. Additionally, separating sex and gender identity in the Principle section helps us to stay zeitgeist.

Proposed Change: Replace entire Principle and Solution from:

Principle: Individual rights must not be denied, abridged, or enhanced by government at the expense of other people's rights, on any basis, including – but not limited to – gender, wealth, race, color, creed, age, national origin, political preference, biological factors, or sexual orientation.

Solution: We oppose government attempts to regulate private discrimination, including discrimination in employment, housing, and privately-owned so-called public accommodation. The right to trade includes the right not to trade — for any reasons whatsoever.

Change to:

Principle: Individual rights must not be denied, abridged, or enhanced by government at the expense of other people's rights, on any basis, including – but not limited to – sex, gender identity, wealth, race, color, creed, age, national origin, political preference, biological factors, or sexual orientation.

Solution: We oppose government attempts to regulate private discrimination, including discrimination in employment, housing, and privately-owned places of public accommodation. While we frown upon those who discriminate against others in privately funded settings, the right to trade includes the right not to trade — for any reasons whatsoever. However, we oppose discrimination by government in publicly owned or publicly subsidized locations, activities, and enterprises.

Committee Recommendation: The Platform Committee voted 5 to 1 in support of this change (1 abstention).

Proposal #4. Update Plank I 5 Freedom of Communication Transition

Rationale: The methods of communication listed in the existing language is quite dated. Designating the Internet as a common carrier under this obsolete Title would subject the Internet to heavy and expansive regulation of both service providers and consumers. It is attempting to solve a problem that exists in theory rather than in practice.

Proposed change: Replace entire transition section from:

Transition: We oppose any abridgment of the freedom of speech through government censorship, regulation, or control of communications media, including — but not limited to — laws concerning:

- a. Obscenity, including "pornography," as we hold this to be an abridgment of liberty of expression despite claims that it instigates rape or assault, or demeans and slanders women;
- b. reception and storage equipment such as digital audio tape recorders, public communication radio receivers, personal pagers, and laser/radar detectors;
- c. electronic bulletin boards, communications networks such as the Internet, chatrooms, and other interactive electronic media;
- d. electronic newspapers, electronic "Yellow Pages," and other new information media; and
- e. commercial speech or advertising.

We oppose government ownership of, subsidy of, and grant of monopoly privilege to, any communication organization, such as New Jersey Public Broadcasting Authority (NJN) and local cable enterprises.

We oppose court orders gagging news coverage of criminal proceedings — the right to publish and broadcast must not be abridged. We deplore any government efforts to coerce the media in the name of stopping "bias" or ensuring "fairness."

Change to:

Transition: We oppose any abridgment of the freedom of speech through government censorship, regulation, or control of communications media, including — but not limited to — laws concerning:

a. Obscenity or offensive speech or writings;

b. government control, regulation, subsidization, or nationalization of private networks and Internet service providers;

- c. Internet censorship of any kind; and
- d. commercial speech or advertising.

We oppose reclassifying the Internet as a common carrier under Title II of the communications act of 1934. The way to provide the best product and services at the best price is to allow choice and competition. We therefore support ending government-granted monopolies at the federal, state, and local level to cable companies, telecommunications providers, or any news outlet (such as New Jersey Public Broadcasting Authority (NJN).

We deplore any government efforts to coerce the media in the name of stopping "bias" or ensuring "fairness."

Committee Recommendation: The Platform Committee voted 7 to 0 in support of this change.

Proposal # 5. Add to Plank I 13. Government Secrecy

Rationale: Due to the proliferation of mobile phone and other handheld devices recording of public officials has become a popular method of documenting abuses.

Proposed change: Add to end of transition an additional sentence:

We oppose any laws or regulations prohibiting or controlling the audio and/or video recording of public officials performing their jobs in public.

Committee Recommendation: The Platform Committee voted 7 to 0 in support of this change.

Proposal #6. Add to Plank II 1 Internet And Taxation transition

Rationale: Since our platform was written Internet commerce has grown substantially. It has experienced major growth without government interference or taxation. Many government bureaucrats are hungry to get their hands on Internet sales.

Proposed change: Add to end of transition an additional sentence:

We oppose any attempts to tax the Internet.

Committee Recommendation: The Platform Committee voted 7 to 0 in support of this change.

Proposal #7. Reintroduce Immigration plank

Rationale: Immigration policy is very much in the news today. Earlier versions of our platform had a plank on immigration. Several states and Counties across the U.S. have stopped recognizing ICE Form I-247 orders. Courts

have held that I-247 orders "cannot be understood as mandatory because any other interpretation would violate the Tenth Amendment."

Proposed change: Insert plank 15 to section I (Individual Rights and Civil Order) as follows:

15. Immigration

Issue: We hold that human rights should not be denied or abridged on the basis of nationality or national origin. The right to freely travel between States and Nations is a fundamental right. Humans must be free to leave tyrannical regimes. Employees, employers, and contractors must be free to negotiate without government interference or restriction.

Principle: We oppose state immigration restrictions, whether for the purpose of cooperating with Federal restrictions or otherwise. We strongly oppose all measures that punish employers who hire undocumented workers. The state has no business regulating productive, voluntary interactions between consenting parties.

Transition: Undocumented non-citizens should not be denied the fundamental freedom to labor or move about unimpeded. We oppose government welfare payments to non-citizens just as we oppose welfare payments to all other persons.

We support limited control over the entry into our country of foreign nationals who pose a credible threat to security, health or property; however we assert that peaceful people should be allowed to cross borders peacefully.

The State of New Jersey must refuse to recognize federal immigration detainer orders ("Form I-247") unless arrestees have been charged with or convicted of violating certain criminal offenses.

Committee Recommendation: The Platform Committee voted 7 to 0 in support of this change.

Proposal #8. Crime

Rationale: A concern had been raised by one of the Platform Committee members about a possible ambiguity in the language in the Transition section of the Crime Plank. Specifically the current wording would give a pass to government officials who flout the law.

Proposed change: change plank 9 (Crime), Transition section listing of "We advocate:", paragraph h from:

h. the repeal of any law which makes it a criminal offense to improperly or inadequately complete paperwork related to government requirements.

Change to:

h. the repeal of any law which makes it a criminal offense for a private individual to improperly or inadequately complete paperwork related to government requirements.

Committee Recommendation: The Platform Committee voted 6 to 0 in support of this change. (1 abstention)

Proposal #9. Family Life

Rationale: Some felt that our platform plank did not allow for sufficient protection of the rights of children from abusive parents.

Proposed change: Replace entire transition from: (only underlined portion is impacted, underlining not to be included in final plank)

Transition: We call for the repeal of the Prevention of Domestic Violence Act of 1991, NJSA 2C:25-17. This law creates an artificial and unnecessary distinction between violence outside and within the home. It establishes invasive reporting requirements, fosters the confiscation of weapons and often dispossesses a spouse or partner without due process of law.

We call for the abolition of the <u>Division of Youth and Family Services</u>, the Board of Family Development, the Advisory Committee on Domestic Violence, the Advisory Committee on Child Care, and the Child Life Protection Committee. We oppose all laws that empower government officials to seize children and make them "wards of the state" or, by means of child labor laws and compulsory education, to infringe on their freedom to work or learn as they choose. <u>Guardianship belongs to those who most love and value the child and his or her development</u>— normally the parents.

We call for the abolition of the juvenile court system. Juveniles should be held fully responsible for their crimes but they should not be prosecuted for offenses that are only offenses by virtue of their youth. We support the repeal of all laws establishing any category of crimes applicable only to minors, such as curfew, smoking, alcoholic beverage laws and laws creating the status of "persons in need of supervision." It is up to the parent or guardian to make these decisions in the best interests of the child until emancipation. We call for an end to the practice of detaining children not accused of any crime. We support the right of children or their parents or guardians to seek voluntary custodial arrangements suitable to themselves (including emancipation) without the blessings of the state. We call for repeal of all laws and regulations that restrict or limit private adoptions.

Until the state ceases defining and regulating the institution commonly known as marriage, we support the option of all couples, regardless of gender, to enter into marriage, with all the rights, privileges and responsibilities of heterosexual couples.

Change to:

Transition: We call for the repeal of the Prevention of Domestic Violence Act of 1991, NJSA 2C:25-17. This law creates an artificial and unnecessary distinction between violence outside and within the home. It establishes invasive reporting requirements, fosters the confiscation of weapons and often dispossesses a spouse or partner without due process of law.

We call for the abolition of the Division of Child Protection and Permanency, the Board of Family Development, the Advisory Committee on Domestic Violence, the Advisory Committee on Child Care, and the Child Life Protection Committee. We oppose all laws that empower government officials to seize children and make them "wards of the state" or, by means of child labor laws and compulsory education, to infringe on their freedom to work or learn as they choose. Young people should be guided and protected by those whom they trust and who love and value them and their development - normally their parents. However, the state may provide a role in protecting the rights of a child from abusive or neglectful parents as long as due process is provided to both the parents and the child.

We call for the abolition of the juvenile court system. Juveniles should be held fully responsible for their crimes, but they should not be prosecuted for offenses that are only offenses by virtue of their youth. We support the repeal of all laws establishing any category of crimes applicable only to minors, such as curfew, smoking, alcoholic beverage laws and laws creating the status of "persons in need of supervision." It is up to the parent or guardian to make these decisions in the best interests of the child until emancipation. We call for an end to the practice of detaining children not accused of any crime. We support the right of children or their parents or guardians to seek voluntary custodial themselves arrangements suitable to (including emancipation) without the blessings of the state. We call for repeal of all laws and regulations that restrict or limit private adoptions.

Until the state ceases defining and regulating the institution commonly known as marriage, we support the option of all couples, regardless of gender, to enter into marriage, with all the rights, privileges and responsibilities of heterosexual couples.

Committee Recommendation: The Platform Committee voted 4 to 2 in support of this change. (1 abstention) ◆

Minority Report 1 of Platform Committee

Submitted By Elizabeth Macron and Justin Quinn

Asks the Convention Body to vote against Proposal #9

The stated rationale for Proposal #9 is to address a concern that the existing plank does not "allow for sufficient protection of the rights of children from abusive parents." Proposal #9 adds three thoughts to this plank: first, it recognizes a role for the State in assessing whether a parent is being neglectful or abusive; second, it argues for "due process" for the child and for the parent in any such State intervention and third, it implies or suggests that a child's distrust of his parent is sufficient grounds for the government to become involved in a family relationship.

Our objections to this proposal are as follows:

- (1) Adding this language is in direct contradiction to the language just preceding it, which calls for the abolition of DYFS and other such agencies. If, in fact, the State has a role in protecting children from abusive or neglectful parents, then it can only perform this role if there is an agency within which to operate. There is no other way, operationally, for the government to oversee families and administer "due process" in its oversight, than to create, fund and maintain these agencies and their minions of employees. It is illogical to call for the abolition of the agencies charged with doing what the Majority proposal recognizes as a legitimate function of government.
- (2) Given the long history of incompetence, indifference and outrageous neglect that DYFS itself demonstrated, we think it is a huge mistake to suggest that the State could possibly do anything to solve the difficult problems of child abuse and neglect. These problems are best addressed by family, church, community, neighbors, charities, education etc. It would be nice if the State could help, but beyond permit adoption having statutes that and/or emancipation, there is nothing the state is competent to do to solve the problems of child abuse and child neglect, however defined.
- (3) Setting up a standard of due process for the child and for the parent politicizes the parent/child relationship. •

Minority Report 2 of Platform Committee

Submitted By Justin Quinn

Asks the Convention Body to vote against Proposal #1

The stated rationale for Proposal #1 is to address a concern that the current language stating that public schools should be "sold to private or non-profit enterprises" is not politically feasible in today's political environment, and replaces that language with a proposal for a "school voucher program...to encourage a free market in education." The case against proposal #1 is three fold:

- (1) Adding this language is in direct contradiction to the language preceding it the Principle: "The government should not decide what is best for our children. That decision should be left up to the family, according to their beliefs, not politicians and education bureaucrats." If a voucher program were to be implemented, it would be those very "politicians and education bureaucrats" who would decide what schools and education programs should qualify for funding. Government would necessarily have to grow larger by establishing a new department for evaluating schools receiving vouchers, a department requiring its own funding in addition to the cost of tuition, raising the amount of taxes that would need to be fleeced from the taxpayer. Such an addition to the platform in the name of political expediency would sacrifice libertarian principle.
- (2) A voucher program would destroy whatever independence and variety private schools currently retain. We need only look at the example of Holland to see the effect of an education voucher program. "Today, the Dutch government defines teacher accreditation requirements, fixes salary scales, curtails the firing of teachers, sets the core curriculum, says how much will be spent, makes it illegal to charge tuition over the voucher amount, and prohibits profit-making in voucher schools. In other words, Dutch 'independent' voucher schools have lost their independence." Private schools in the United States would be reduced to what are effectively state charter schools, schools which are funded by taxpayer dollars but are politically unaccountable to the parents or local community.
- (3) Any attempt by a state or the federal government to institute a voucher program will lead to a further politicization of education. Just as there is a current debate in Holland about whether to allow voucher funding for Islamic schools, there will be a similar

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¹ Andrew J. Coulson, "Why Federal School Vouchers are a Bad Idea," April 8, 2006, Cato Institute, retrieved January 29, 2015 from http://www.cato.org/publications/commentary/whyfederal-school-vouchers-are-bad-idea

debate in the United States not just over Islamic schools, but Christian schools as well, especially in light of the First Amendment's prohibition against the state establishment of religion. There can be no political solution to voucher funding that will not leave at least one cultural or religious group feeling victimized by the state, either because their group was denied funding or because their tax dollars are supporting an ideology they vehemently disagree with. Proposed as being more politically feasible than

"We are spending too much time and getting not enough results when it comes to prosecuting small amounts of marijuana," Jon-Henry Barr, head of the Municipal Prosecutors Association speaking on the Associations recent decision to endorse marijuana legalization

school privatization, a voucher program would be anything but. •

An Introduction to the U.S. Constitution Event

By Jay Edgar

Lean about its framework, the powers it gives the Federal Government, the rights it protects, and how to apply it to issues in the news today. The words that forged our nation still shape it today!

Class is to be presented by Jim Tosone, researcher, writer, and contributor the "The Complete Idiot's Guide to the U.S. Constitution" (Penguin Press).

Wednesday, March 11, 7:15 – 9:00 PM Assumption Parish 29 Jefferson Avenue, Emersion, NJ.

Event is hosted by the Bergen County NJ for Liberty group. Admission is free. •

State Agrees to Adopt NJLP Transparency Initiative

By Jay Edgar

On August 1, 2014, the New Jersey Libertarian Party (NJLP) formally petitioned the New Jersey Department of Community Affairs (DCA) for a rule requiring municipalities and other local government units to specify an "up to" dollar amount in each resolution that awards a public contract. At its December 10, 2014 meeting, the DCA's Local Finance

Board preliminarily approved the requested rule and will consider final adoption after a 60-day public comment period.

The NJLP submitted its rulemaking petition in response the Parsippany-Troy Hills governing body's award of a no-bid financial consulting contract to a company that was reportedly owned by or tied to the township's recently-resigned Chief Financial Officer. The resolution that awarded the contract and other related paperwork said only that the amount of the contract "will exceed \$17,500." When a local newspaper requested records showing the exact contract amount, Parsippany-Troy Hills responded that the contract "hasn't been signed by the Administration [and that] could take up to 30 days."

John Paff, who chairs the NJLP's Open Government Advocacy Project and authored the petition, said that citizens have an "extraordinarily strong interest in knowing the amount of taxpayer money" spent on contracts and need "prompt and meaningful access to governmental information . . . to effectively fulfill their vital role in monitoring government and seeking redress for governmental excesses and abuses." The Local Finance Board agreed saying that the rule amendment will "increase transparency" and will "improve the public's ability to monitor how tax dollars are being spent." ◆

Mullica Township Tables Ban on Cross Dressing and Lewd Books

By Jay Edgar

The Mullica Township Committee was considering <u>an</u> <u>ordinance</u> banning dressing in clothes meant for the opposite sex, begging, lewd books, houses of ill repute, or any behavior that may have a negative impact on the quality of life of the residents.

The proposed ordinance was not only extremely vague, but would be unconstitutional. John Paff, chair of the NJLP Preempted Ordinance Repeal Project, sent a letter to the township committee pointing out that such an ordinance would be invalid. As a result of this letter and many residents questioning the need for such an ordinance, the Township Committee has tabled the ordinance.

Several press outlets covered news of the proposed ordinance and the role of the NJ Libertarian Party in having it shelved. •



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Mr. President, we can have world-class education. The first step is defunding and eliminating the federal Department of Education, abolishing Common Core, and allowing parents to take full control over their children's education. Free-market competition will raise educational standards, lower costs, and prepare students to compete in a global economy. – Arvin Vohra, Vice Chair of the National Libertarian Party in response to President Obama's 2015 State of the Union address

The New Jersey Libertarian

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NJL Advertising Rates

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Commentary and advertising should be submitted to the editor. Contact us at: *New Jersey Libertarian*: editor@njlp.org. PO Box 56 Tennent, NJ 07763

NJ Libertarian Party Convention Announcement

March 21, 2015 9:00 AM - 6:00 PM

Tavern on the Lake 101 N. Main Street Hightstown, NJ 08520

The Party's Business Meeting will be held from 9:00 AM until Noon and will be open to all. Registration will be required for the afternoon events which will include lunch and guest speakers. Our convention package will also include coffee and refreshments that will be available all day. We have a top notch selection of speakers this year!

Registration for the Convention will be \$40 until March 17th. After March 17th (including at the convention), registration will be \$45.

Tentative Agenda:

8:30 – 9:00 Gather for Continental Breakfast

9:00 – Noon NJLP Business Meeting (all our welcome, only NJLP members may participate)

- Nomination of 2015 Candidates
- Election of NJLP officers
- Discussion of NJLP Business

Noon – 1:00 Luncheon

1:00-5:30 Speakers including:

Dr. Jerome Huyler Hesham El-Meligy James Babb Derrick J. Freeman James Kaleda Michael Chazukow

Note that the morning business meeting is free. You do not need to register for the meeting. Full speaker biographies and online registration is at http://njlp.org/convention. Contact Email: convention@njlp.org

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New Jersey Libertarian Party - - - - - - - - Are you a current member? Please consider joining.

Are you a current member? Please consider joining.

I'd like to join the NJ Libertarian Party! I have checked the level at which I want to join and have enclosed the corresponding dues. I certify that I do not believe in or advocate the initiation of force to achieve social or political goals.

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